The New-York Times.

VOL. XII—NO. 3545. NEW-YORK, TUESDAY, FEBRUARY 3, 1863. PRICE THREE CENTS

IMPORTANT FROM THE SOUTH.

Bombardment of Fort McAllister, at the Mouth of the Ogechee, by the Montauk.

An Engagement Lasting Five Hours and a Half.

The Montauk Hauled Off with Some Damage to her Turret.

The Rebel Shot Broken Against her Armor.

Preparations for the New Attack on Vicksburgh.

We have received files of Richmond papers to the 31st ult., inclusive, from which we make the important extracts given below:

BOMBARDMENT ON THE OGECHEE.

The Richmond *Dispatch*, of Jan. 29, says:

"On the 27th of January a bombardment took place of Fort McAllister, at the mouth of the Ogechee River, eleven miles south of the Savannah River, Georgia. Only one Federal iron-clad was engaged, and she was forced to haul off, her turret being injured. Our solid shot broke to pieces as they struck her sides.

The following is from the *Dispatch* of the 31st ult.:

The bombardment of Fort McAllister, at Genesis Point, (which is the mouth of the Ogeechee River, and lies about fifteen miles south of the mouth of the Savannah River,) lasted from 7 o'clock until 12M o'clock on the 27th inst. Only one iron-clad was engaged, and the attack was so hotly managed that she was forced to haul off. The Savannah Republican says:

"The iron-clad Montauk became close in fine style, opened heavily on a fight, and after slipping her cables, drifted down upon the battery. She was very low in the water, and her little stove chimney had carried by further charge, round the bend in the river, which hid her from view. The battery maintained the unequal fire on the fort. The shots were fired at intervals of two or three minutes. The balls from the fort were 32 and 42-inch.

"We learn that four vessels, apparently transports, were lying yesterday in Bear River, below Kilkenny, about twelve miles from the city. They appeared to be lying, with the exception, if possible, of some slight damage, in good condition. Some twenty or thirty men were seen on board of them. There is no battery on the Bluff, which, more than any other battery, at night, as soon as it was ascertained that the enemy were coming up.

"I saw him the night when he was bidding adieu to his friends. He said that the weather indicated a change, and that he had been waiting so long, and that he would be off in a few hours. But the indications was not fulfilled. The weather changed, and he remained until last Thursday, the 15th inst., when he escaped just before day. He attempted it on the night previous, but the lookouts discovered him and signaled, when he withdrew. Thursday night was very dark. There was a strong blow and hail storm during several hours. He ran out unobserved. But about four hours after his escape, they either discovered or suspected that he was gone, and the swiftest steamer among them went in and, apparently, in pursuit. She will hardly catch him. The *Florida* is a splendid vessel, in perfect running and fighting trim, and can, probably, whip any craft that she cannot out-run."

THE RESED CONGRESS.

DISFRANCHISEMENT.

In the Confederate House of Representatives, on Jan. 29—

Mr. Sayers, of Texas, introduced a resolution, which was agreed to, that the Committee on the Judiciary be instructed to inquire into the expediency and propriety of providing by law, in such an extent as may be within the power of Congress, for the disfranchisement of all such persons—resident citizens of the Confederate States—as may be clearly shown to have refused to aid in our present struggle for independence, or who may, in any way, have aided or assisted our enemies.

Mr. Gray, of Texas, offered a resolution that the Judiciary Committee consider the expediency of so amending the sequestration laws as to authorize the Judges of the Courts, in their discretion, to postpone sale of confiscated lands and other property during the war. Agreed to.

Also, a bill declaring the invalidity of all acts and proceedings affecting the rights of citizens, done under authority of the public enemy, within any State or locality temporarily under their control, or in their referred to Judiciary Committee.

THE TRUTH ABOUT THE MONTAUK.

She Lies Under the Rebel Batteries Four Hours Without Injury.

WASHINGTON, Monday, Feb. 2.

The following dispatch was received to-day by the Navy Department:

FORTRESS MONROE, Monday, Feb. 2.

A bearer of dispatches left Port Royal Friday noon. He says there is no truth in the report of the Montauk being disabled at Fort McAllister. Commander Worden *lay under the enemy's fire for four hours, to try his vessel. The balls had no more effect upon her than so many bird shots.*

Nothing was been heard of the station of the *Patrick* in Stono River when the dispatch messenger left.

THE BATTLE OF DESERTED HOUSE

Full Details of the Repulse of the Rebels Under Fryer.

CORRECTED LIST OF CASUALTIES.

From Our Special Correspondent.

SUFFOLK, Va., Saturday, Jan. 31, 1863.

The most stirring episode in the dull existence of Gen. Peck's forces, that has yet taken place, occurred yesterday. It was ascertained on Thursday evening that Fryer had crossed the Blackwater on Sunday with a considerable force, during the afternoon, probably on a foraging expedition, as he had a train of twenty-two wagons. Preparations were immediately made to surprise him before daylight, and at midnight, the One Hundred and Thirtieth New-York, Lieut.-Col. Tucker, and the One Hundred and Sixty-seventh Pennsylvania, Col. Kiesnesse, of Grover's Brigade; the Sixth Massachusetts, Colonel Follansbee; Thirteenth Indiana, Lieut.-Colonel Dozer, and the One Hundred and Twelfth New-York, Col. Drake, of Peirson's Brigade; the Sixty-ninth New-York, Col. Meagher; and One Hundred and Fifty-fifth New-York, Col. McIlvaine, of Corcoran's Brigade, with the Eleventh Pennsylvania Cavalry, Cpt. Spear; the Seventh Massachusetts Battery, Capt. Davis; and Battery D, Fourth Regular Artillery, departed under command of Gen. Corcoran, and after a march of eight miles over muddy roads, copied the enemy about 4 o'clock, at a spot called the Deserted House, on the right of the Old Workhouse Road. The Eleventh Pennsylvania Cavalry drove in their pickets; the batteries of Follansbee and Davis were planted on the right and left of the road, flanked by skirmishers detached from the Thirteenth Indiana and One Hundred and Twelfth New-York, while the infantry, headed by the Thirteenth Indiana, remained in column along the road as a support. A sharp fire was opened, and continued until 6 o'clock, during which time a caisson of Follansbee's Battery was struck by a shell and blown up, a gun was dismabled, and two guns rendered useless by the swelling of the paper mache mounting of the shenkle shells. The bursting of the caisson killed three men and three horses. In addition to the loss upon both batteries, the infantry in the road suffered considerably, while awaiting orders to move. At 6 the enemy retreated, leaving a battery station of two guns planted in the road. It would have cost, perhaps, fifty men to take them, and not being worth the sacrifice of life, a detour was made in pursuing the fugitives, to avoid them. This necessitated some loss of time, and the enemy were again encountered two miles beyond, where they made a short stand, and retired to Carrsville, six miles further, after once more stopping to fire. At Carrsville a short artillery skirmish took place, during which the Thirteenth Indiana gally charged down a hill, engaged the enemy for five minutes with musketry, and scattered their line. A rout ensued, when the Eleventh Pennsylvania Cavalry followed them to the Blackwater and finally charged, killing nine and wounding many more. By this time it was four in the afternoon, and our troops returned, reaching Suffolk at midnight, after stopping a few hours on the road.

The loss of the enemy was not definitely ascertained. They took off a quantity of dead and wounded, but left about fifty behind, among whom were the corpses of Col. Foote, Major Darnall and a Lieutenant. Twelve prisoners fell into our hands, who stated Fryer's force to have been 2,500 infantry, 500 cavalry, and 12 pieces of artillery, which now comprises his entire strength, excepting a company which he had left to guard his camp, near the banks of the Blackwater, where he has erected small earthworks. There are not more than a hundred soldiers at Petersburgh, and none between Fryer and that city.

Our loss is killed wounded, 18; missing, 1; total, 119. The enemy were successful in procuring forage, but paid dearly for it. Gen. Corcoran was accompanied by Capt. J. J. Rossiter and Lieut. Tracy, of his Staff, the former of whom was slightly hurt in the knee by the exact fragment of a shell. The Thirteenth Indiana, a veteran regiment of several Fredericksburgh battles, elicited admiration from all by their fine discipline and cool behavior. They had long been out of action, and received cold season with delight. The regiments of the expedition were mostly new, and behaved well under their first serious fire, with exception of the One Hundred and Sixty-seventh Pennsylvania, composed of drafted men. When ordered forward with the rest, at 6 o'clock, they scattered lying on the road, to avoid the shells passing over them, and refused to stir. Gen. Corcoran, on hearing this, rode up to them, accompanied by Col. Spear, and called for the Colonel. He was dangerously wounded, and did not reply. The Lieutenant-Colonel, Major, Adjutant, or any Captain, were successively called for, without answer. The General then said that if any commissioned officer was there, and would advance the regiment, he should be recommended for the Colonelcy. A Lieutenant, name unknown, then rose and endeavored to comply; but without effect. The General then appealed to them, for the honor of Pennsylvania, when an Orderly Sergeant sprung up, saying, "You can draft us, but you can't make us fight". He was immediately struck on the head with the sock of Col. Spear's sword, and felled. Col. Spear desired to charge them with a company of cavalry, but the General thought it better to leave them as they were. The men evidently needed officers, and would then have, perhaps, fought.

The following is a corrected list of casualties:

ONE HUNDRED AND THIRTIETH NEW-YORK.

Killed—Capt. Taylor, Co. C; Privates Oliver Washburn, Chas. M. Wood, Co. A; George Lee, Co. H; James Woodruff, Co. B; Taylor, Co. G; Reed, Van Valkenburgh, Co. C.

Wounded—Capt. A. J. Leach, Co. K, arm, slightly; Asst. R. A. Stimson, slightly; Sergeants Geo. F. Harrington, Co. A, left thigh; —King, Co. B, ankle; Corporals Alonzo E. Woodward, Co. K, heel; Jesse Knox, Co. C, shoulder; Privates Geo. N. Burrell, Co. A, left knee; Geo. C. Sexton, Co. A, lower jaw; Edward H. Johnson, Co. A, right arm; Ebenezer Bean, Co. B, side; Geo. H. Bailey, Co. E, shoulder; Simon Hunsinger, Co. C, hand; Hopkins Salisbury, Co. D, arm and leg; David Wright, Co. E, wrist; Joseph N. Parker, Co. H, left eye; D. F. Rust, Co. H, heel, slightly; Isaac C. Hammitt, Co. K, arm.

Missing—Thomas Chase, Co. F.

ONE HUNDRED AND TWELFTH NEW-YORK.

Killed—Orderly Sergeant Geo. A. Watson, Co. C.

Wounded—Private Warren Smith, slightly.

THIRTEENTH INDIANA.

Killed—None.

Wounded—Lieut. D. Newsome, Co. E, right cheek; Sergts. Amos Forney, Co. E, hip and arm; J. H. Lane, Co. B, breast, mortally; Jas. Conner, Co. B, neck, slightly; Jas. Davis, Co. G, arm; Corp. Clark Jennings, Co. H, side; Privates Jas. Gillespie, Co. E, face, mortally; Nelson Acre, Co. E, arm; John Rosebury, Co. B, thigh slightly; Jacob Short, Co. F, wrist, slightly; Wm. Lewis, Co. H, shoulder, slightly.

SEVENTH MASSACHUSETTS BATTERY.

Killed—Harrison G. Craig, Co. G; John Keagan, Co. G.

Wounded—John Bryce, Mp; John W. Huntington, Co. G, thigh; Sergt. Geo. Butler, —Murphy, H, N. Lapham, of Co. D.

ONE HUNDRED AND SIXTY-FIRST NEW-YORK.

Killed—Sergeant Reuben, Leary Butler, —Murphy, H, N. Lapham, of Co. D.

Wounded—Co. D, Corp. Manning, shoulder; John Dayen, neck; Henry Prince, arm amputated; Wm. Mahanna, scalp; Chas Skyles, thigh; Frederic Anderson, ankle; John Hiller, wrist; John Collins, shoulder.

SIXTH MASSACHUSETTS REGIMENT.

Killed—Lieut. Dexter Sawtelle, Co. B; Lieson Wellington, George Blodgett, Co. B.

Wounded—Lieut. Weeks, Co. B—scalp; Lieut. Jesse N. Marshall, Co. C—leg; Capt. Bartlett, Co. K—slight contusion; Adjutant T. O. Allen—thigh; Josiah T. Smart, Co. C—scalp, slightly; W. H. Smith Co. K—contusion; Chas. Hildreth, Co. E—contusion; Francis H. Howard, Co. B—thigh amputated; Augustus Reed, Co. B—right arm amputated.

ONE HUNDRED AND SIXTY-FIFTH PENNSYLVANIA.

Wounded—John Holders, Co. A—contusion; Wm. Poole—severe contusion; Adam Spohn—slightly.

ONE HUNDRED AND SIXTY-SEVENTH PENNSYLVANIA.

Wounded—Col. Charles Knoderer, dangerously, but with hopes of recovery; David Shalla, Co. B, hand; Wm. Weigner, Co. G, shoulder; David Shutt, Co. B, hip; Adam Dieser, Co. B, hip; Nathan Heiser, Co. I, hand; Moses Bricker, Co. D, leg.

ELEVENTH PENNSYLVANIA CAVALRY.

Killed—Corporal Frederick Hart, Co. E; John A. Beach, Co. A.

Wounded—Lieut. Wm. Bailey, Co. E, slightly. Sergeant—E. D. G. Morris, Co. A, slightly; Silvester Weldy, Co. D, foot. Corporals—Albert D. Hodge, Co. A, leg; amputated; Thos. King, Co. D, left knee; Jos. Bates, Co. B, leg; Henry Gleason, Co. E, back; Co. Quartermaster Joseph H. Holloway, foot. Privates—David Taylor, arm; Thomas Tully, face, arm and side, all of Co. A; Henry Woodall, left side; Wm. Dilgin, foot, Co. B; Michael Scally, head; Wm. H. Lancaster, hand; John O'Brien, arm, Co. E; John Robinson, Co. I, leg; Henry Sickman, Co. I, back.

SIXTY-SIXTH NEW-YORK STATE NATIONAL GUARD ARTILLERY.

Killed—Sergt. Weeks, Co. E; John Kearns, Co. E; Thomas Stone, Co. C; Wm. Campbell, Co. C.

Wounded—Capt. M. Kelly, Co. F—arm; Corp. J. Whelan, Co. E—mortally; Corp. Cassidy, Co. D—slightly; Eli W. Fish, Co. B—mortally; Cornelius Gallagher, Co. E—slightly; Michael Cook, Co. D—both mortally; Philip Grimm, Co. E—slightly.

The "Battle of Deserted House" is thus over. The men have returned to camp with a proud consciousness of important manhood. The dead brought back will be buried to-day, and the old tranquillity is resumed. N.

NEWS FROM FORTRESS MONROE.

The Exchange of Prisoners—Fire in New-York, &c.

FORTRESS MONROE, Sunday, Feb. 1.

The steamboat *New-York*, which was to have left last night for City Point, has been detained till noon to-day to take up 120 rebel prisoners, which arrived this morning on the Baltimore boat from Fort McHenry.

At 1 o'clock this morning a fire broke out on Main-street, Norfolk, destroying the building and the following places of business: Bottum & Maurer's restaurant; J. A. Berry's bar-room; one grocery and a shoe and shoe establishment. The building destroyed was opposite Adams & Co's. express office. Their building was in great peril for a while, and narrowly escaped destruction.

The rebels are now driven beyond the Blackwater, and up for us is known all is quiet in that direction.

Col. Ludlow, United States Commissioner for the exchange of prisoners, has just returned from City Point. He has made arrangements for the exchange of citizen prisoners, and is of opinion that Jeff. Davis' retaliatory proposition to deliver over all the United States officers to the authorities of the States where captured, and which is in gross violation of the cartel, will not be approved by the rebel Congress, who are now acting upon it. The result will be known in a few days. We now hold more officers than the rebels. Col. Ludlow has earnestly protested against the rebels permitting the authorities of any State to apply the execution of the Stand laws to any captured officers or men in the service of the United States.

IMPORTANT FROM WASHINGTON.

Passage of the Negro Soldier Bill in the House.

THE FINANCES OF THE GOVERNMENT.

Report of the Senate Finance Committee.

Indications of Alarm Among the Rebel Leaders.

AID FOR EMANCIPATION IN MISSOURI.

OUR SPECIAL WASHINGTON DISPATCHES.

WASHINGTON, Monday, Feb. 2.

THE PASSAGE OF THE NEGRO SOLDIER BILL.

Mr. Stevens' Negro Regiment bill, which, with Clark's amendment, passed the House this evening, after six days' mingled skirmishing and debate, by a vote of 82 to 55, provides for the enlistment of any number of negroes, not over 300,000, to be paid $10 a month, to be armed and equipped as other soldiers, and officered by white men. Clark's amendment provides that no recruiting stations shall be opened in Slave States, or parts of States excepted in the President's Emancipation Proclamation, without first procuring the consent of the Governors thereof, and thereby in those States no slaves of loyal men shall be enlisted—the loyalty having been properly established. To this last clause Mr. Wickliffe objected, on the ground that in such tribunals as they would determine the question of loyalty in, he would be decided disloyal himself. The House did not seem to infer this decision much to be depressed, and passed the amendment by a heavy majority. In the final vote, Judge Thomas, of Massachusetts, Harrison and Horton of Ohio, Wm. Kellogg, of Illinois, and perhaps other Republicans, voted against the bill. The Tennessee and Kentucky delegations were solid against it, with the exception of Cases, of Kentucky, who voted Aye. Part of the Virginia delegation dodged. Conway voted with the Republicans.

THE FINANCIAL POLICY.

In our dispatch of last Thursday evening, we gave some hints of the conservative tendencies of the Senate Financial Committee, and foreshadowed their probable action on the bank and loan measures, pending in Congress. The subsequent extraordinary appreciation of gold has greatly increased that feeling and inspired in the Committee and the Senate a determination to arrest by legislative action this [illegible] of the Government. The resolution to raise the loan strong that it has not been finally expressed, and the very reluctance displayed by members of the Committee in regard to specific purposes, and the knowledge that they are working in entire harmony with the Secretary of the Treasury, furnish every guarantee of decisive measures. The Bank bill of Senator Sherman was to-day reported by the Committee, and is now fairly before the Senate, and the important amendments proposed by Hon. Rose. J. Walker, and published in the Times to-day, are calculated greatly to enhance its chances for ultimate success. Every day is adding, in the House, converts to its general provisions, and several of the most influential of those who latterly opposed it in the extent have signified their willingness to support it in its modified shape. It is no secret that Mr. Chase looks to this bank measure, and this alone, to secure the country from impending financial ruin, with this he will feel able to conduct the affairs of his Department without resorting to the fatal expedient of inflating the currency. Hence, the Senate Finance Committee have stricken from the House Loan bill those features looking to a further issue of Treasury Notes. They have to-day received from the Secretary a letter clearly indicating his views, and feel sufficiently strong to give him their full support. It is understood that the Committee voted unanimously for instructing the report of the Bank bill and the amendments we have indicated in the Loan bill, and it would certainly seem that there should no longer exist the alarming apprehension which has lately prevailed, that the country is to be deluged with a flood of greenbacks.

ALARM AMONG THE REBELS.

There are rumors to-day of alarm amongst the rebel leaders, and a rapidly growing disposition to treat for peace. Whether or not these reports have sufficient foundation, they are gaining considerable currency amongst those who claim to be posted.

EMANCIPATION IN MISSOURI.

The Senate Judiciary Committee, at their meeting this morning, authorized Senator Harlan to report back the Missouri Emancipation bill with important amendments. In case of immediate emancipation, twenty millions of dollars is to be appropriated, and ten millions of dollars only if emancipation is to be gradual. It allows $300 for each slave, instead of $400, as provided in the former bill.

THE SHIP CANAL.

The friends of the great New-York and Erie and Illinois Ship Canal in the House hope to have that measure taken up to-morrow.

They say it will pass before adjournment if once up. It has already been discussed, they think, at quite sufficient length.

THE PROPOSED RAILROAD.

The Special Committee on the proposed air-line railroad between Washington and New-York will probably make their report to-morrow or next day. The majority of the Committee are understood to be in favor of another independent line.

LEAGUE ISLAND.

Gov. Curtin, in company with the Committee of the Pennsylvania Legislature, and several citizens of Philadelphia, will arrive to-morrow morning, to urge on Congress the acceptance of League Island for a site for a Navy-yard, as recommended by the Secretary of the Navy.

STOPPING THE PAY.

Senator Lane, of Kansas, to-day, gave notice of a bill stopping the pay of all officers of the army while not on active duty, and providing stringent regulations in regard to leaves of absence. Such a law would secure much more efficient service, and effect great saving to the Treasury.

NEW OFFICES.

Senator Fessenden to-day reported from the Finance Committee, a bill providing for the appointment of a Solicitor for the War Department, with a salary of $3,000 per annum; also, for the appointment of a Deputy Register for the Treasury, with a salary of $2,000. The former is on the recommendation of the Secretary of War. Mr. Whiting now fills that position.

THE ELECTION CASES.

The report of the Committee on Elections will be favorable in the New-Orleans cases, and adverse in those of North Carolina, and will probably be made to-morrow.

GEN. BUTLER.

Gen. Butler visited the anti-room of the Senate to-day, and received attentions from a large number of Senators.

A NEGRO REGIMENT.

A movement is already on foot among the colored people of this District to organize a regiment among themselves, and when the bill now pending before Congress shall have become a law, to tender their services to the President to "go wherever ordered." The colored population of the District of Columbia is between 15,000 and 20,000.

VOTES OF THANKS.

The Senate Committee on Naval Affairs have authorized Senator Grimes to propose a bill looking to a repeal of the law passed last session, conferring favors upon officers in the navy, who receive votes of thanks, for distinguished and meritorious conduct in the presence of the enemy. The Committee are of opinion that the additional grades which the law now confers in those cases ought to be limited. It not only makes them eligible for Rear-Admirals, but extends the period of time for active service ten years beyond other officers of the navy. The Committee's bill will correct this matter.

NEW STATES.

It is probable that the House Committee on Territories will report bills, the latter part of this week, for the admission of Utah as a State, and the erection of the Territory of Stockton. The delegate from the former Territory is very decided in his opposition to the clause in the bill prohibiting polygamy.

REVOCATION OF AN ORDER.

WAR DEPARTMENT, ADJ'T-GENERAL'S OFFICE, WASHINGTON, Jan. 27, 1863.

SPECIAL ORDERS, No. 43.—7. So much of Special Orders, No. 10, current series, as revoked the muster into service of Assistant-Surgeon E. S. Stanton, Second New-York Volunteers, is hereby rescinded, and he is honorably discharged the service, to date Jan. 8, 1863, he having produced evidence of service to the Government for which he received pay to include Dec. 31, 1862.

By order of the Secretary of War,

L. THOMAS, Adjutant-General.

COL. TOM. FORD RESTORED AND DEMISSED.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, WASHINGTON, Jan. 26, 1863.

GENERAL ORDERS, No. 21.—By direction of the President, so much of General Orders No. 163, of Nov. 6, 1862, as dismisses Col. Thos. H. Ford, Thirty-second Ohio Volunteers, is rescinded, and he is discharged on tender of his resignation, to take effect Nov. 8, 1862.

By order of the Secretary of War,

L. THOMAS, Adjutant-General.

WARNING TO SOLDIERS.

In consequence of the numerous impositions practiced upon invalid and disabled soldiers by the numerous "pension sharks" and procurers of discharge papers, who infest this city, the Medical Department has issued the following warning to soldiers against trusting any of the scoundrels:

SURGEON-GENERAL'S OFFICE, WASHINGTON, Jan. 31, 1863.

It being reported that various parties have obtained money from invalid soldiers under the pretence of assisting them to their discharge from the service, notice is hereby given that certificates of disability for discharge to soldiers in general hospitals and camps are only given by the Surgeons in charge of such hospitals or camps, and the obtrusive efforts of persons claiming to be special agents, retard, instead of hasten, the preparation of discharge papers.

All soldiers are warned against giving money on such plea to any person whatever.

By order of the Surgeon-General,

JOS. K. SMITH.

TO THE ASSOCIATED PRESS.

WASHINGTON, Monday, Feb. 2.

MR. SHERMAN'S FINANCE BILL.

Mr. Sherman's Finance bill, as reported to-day from the Committee of Finance, is amended in several particulars. It prescribes that the capital stock of any Banking Association under the act shall be, instead of $50,000, not less than $100,000 in all cities whose population is 10,000 persons. The entire circulation of notes under this act shall be $300,000,000, instead of $300,000,000, $150,000,000 of which shall be apportioned to the Association, not only in the States, but in the District of Columbia, and in the Territories, according to the representative population, and the remainder apportioned according to the resources and business of the several States and Territories. These Associations are required to pay to the Comptroller of the Currency semi-annually one per cent. of their circulation.

MISSOURI EMANCIPATION.

The amendment to the Missouri Emancipation bill, as reported by Senator Harlan from the Judiciary Committee, consists of a substitution of twelve for eighteen months, as a limit to the time allowed for the adoption of an Emancipation act; a prohibition of pay for any slave introduced into the State subsequently to the passage of this act, and an increase of $15,000,000 to $20,000,000 appropriation, at an average of $300 instead of $200 for each slave.

HON. ERASTUS CORNING OUT OF DANGER.

Hon. Erastus Corning, who has been dangerously ill for several days, is much better to-day, and his physicians pronounce him out of danger.

INCREASE OF THE REVENUE.

The Committee of Ways and Means are now engaged in considering how the revenue can be increased. Some suppose additional taxes may be placed on luxuries, in order to decrease the duty on *paper*.

For Congressional Proceedings, see Eighth Page.

IMPORTANT FROM TENNESSEE.

Franklin Occupied by Our Forces—Narrow Escape of Forrest.

NASHVILLE, Tenn., Monday, Feb. 2.

Col. Robert Johnson's regiment took possession of Franklin, Tenn., last night. Gen. Forrest and his Staff narrowly escaped. A rebel Captain and two men were captured. We lost one man killed.

False Report Corrected.

TRENTON, N. J., Monday, Feb. 2.

Col. J. Cook, reported to have been killed and robbed at Falmouth, has arrived in this city. Instead of being killed and robbed, he returns with over $100,000 to be distributed to families of volunteers during the present week.

OUR FOREIGN CORRESPONDENCE

France and America—Proposed Form and Mode of French Intervention.

The Contents of the French Yellow Book.

Character of the Correspondence with the United States.

Another Article from La Nation—France Believes Separation Inevitable.

The Programme—Cotton to be Taken by Force, &c.

PARIS, Friday, Jan. 16, 1863.

In my last letter I spoke of the bad effect produced in the public mind by the silence of the Imperial discourse on the important questions of the moment, and I also spoke of the panic which reigned in the liberal newspaper offices at the menacing attitude of the French Government toward the United States. The persistent fall in the funds at the Bourse, and the inactivity in affairs, have proven since, beyond contestation, the truth of the first of these assertions, and I need not add anything further on the subject, unless it be that the journals are now held under a tighter rein than they have been for years, and that you will find but little indication of these facts in their columns.

On the second point, that in regard to the position of the French Government toward America, I have other and important facts to give you, which I believe to be worthy of your most serious consideration. It is my duty as a correspondent not to set up any theory of my own, but to give you a correct history, from week to week, of such events and indications of events, especially as do not appear on the surface, in order that from the mass of information you may draw conclusions as to the future. Thus I may tell you to-day that the indications are for intervention, and a week hence for the contrary, and in both cases I am only following out the programme of reflecting faithfully the appearances as they pass.

All the diplomatic correspondence with Washington up to the middle of last month is published in the *Moniteur* this morning, and this correspondence proves that the French Government has not only been trying throughout the whole year to bully the American Government into a peace of some kind with the South, but the last dispatch published, signed by M. Thouvenel, and dated last month, tries to make an issue with the American Government on the question of cotton, and on the side of Gen. Butler—an issue which the Foreign Secretary takes pains to tell Mr. Seward is backed up by England.

As an explanation, or rather as a commentary on this cotton quarrel which M. Drouyn de Lhuys seems desirous of provoking with Mr. Seward, the following extracts from an article in this morning's edition of the Emperor's personal organ, *La Nation*, will be found quite in point:

"A word first on the veritable situation of the cotton industry—a situation which is the object of so many erroneous appreciations.

It is accepted as true, for example, that, in France, there is a want of cotton. This is an error.

There is not a want of cotton.

The truth is that the stock is but ten per cent inferior to that of last year at the same epoch. The labor of the country, therefore, may be easily supplied.

And, in the first place, the large manufacturers have a sufficient supply on hand. The large establishments of Rouen, for example, like those of Messrs. Fouquier-Quentan and Lemaresquier, and others, have not discharged their workmen. Their large fortune enables them to resist the crisis, but the risks they run are enormous. Every one understands that the price of manufactured articles has increased on account of and in proportion to the extraordinary increase in the price of cotton. So that, if to-morrow, in a month, in six months, four lines in the *Moniteur* should announce that America accepts the mediation of the Great Powers, or even of France alone, and at that instant an enormous fall will take place in the price of cotton and in the price as well of articles manufactured during the crisis. The products stored away, which represent a positive value—a value, for example, estimated at 1 hundred, will descend to fifty; easy, therefore, is the evaluation of the loss to which are exposed infallibly the spinners whose shops are at work at the present moment; and it is in presence of these risks, valiantly accepted, that in the departments of the Seine-Inférieure, of Normandie and of Alsace, the large manufacturers keep their shops open and their looms running. The salary of the workpeople has naturally been diminished, but at any rate a part of these people have work and bread, especially in the great centers of this industry in the departments just mentioned.

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Again, we repeat it is not the raw material which is wanting; every one may find work: it is credit which is refused to labor, because the manufactured articles in store, if struck to-morrow with a fall, by a modération of a sudden cessation of hostilities in America, will inevitably depreciate.

What appears singular, and which is yet true, is that the most encouraging guarantee which can be offered at this moment to the credit which is destroying the cotton industry, is an assurance against peace. If the speculators can be guaranteed that for the two years to come there can be neither mediation, nor intervention, nor conciliation, and that the war will persist, and immediately the cotton industry will resume an immense activity, because two years will suffice to fabricate and consume in peace, owing to the war, all the cotton to be had in our market.

This guarantee, no one can or will give; it is not even desirable that it should be given, and we should not create for ourselves illusions; the cotton industry will suffer a forced inactivity until the relations of Europe with the United States shall be reinstituted on their former basis. And, each is especially the end which it is our duty to pursue and to seek to realize, no matter at what price. One of the means which seems to be the most proper and expeditious to arrive at this result, was indicated in this place three days ago, and has not yet found a contradictor:

Force she must, force she need, force!

The plan is both great and prompt.

Now it is to-day a well-settled fact, that the battle of Fredericksburgh has finally brought the last doubting members of the French Government to the conclusion that the separation in the United States is final, *and that the future policy of the French Government is to be based on this dangerous assumption.* The nation being therefore divided *into two, and the charm of the old Union, with* all its souvenirs gone, why, they say, shall we not have cotton and a revival of trade?

The officers of the French army may be heard now on all occasions expressing the opinion that they can land on the American shore with a hundred thousand French soldiers and march straight through the country—which is only another way of expressing the contempt which has

been inspired by the failures of the American army. And however much we may hold this expression of opinion in contempt, it has an important political signification, since the Emperor, who reposes on his army, is always ready to be agreeable to it, and delights in this confidence of his officers in their great superiority.

If any evidence were wanting of the political *cassilleria* of the leading men of France, the argument which I sent you three days ago in the columns of the *Nation* in regard to the opium trade in China, and that which I send you to-day from the same paper in regard to cotton, will settle the question; for, what might have passed as the isolated argument of M. GRAVIER DE CASSAGNAC becomes general by the boast contained in to-day's article, that the first one has found no contradictors.

I am told that the following is the programme of the French Government at the present moment: *The Government having made an arrangement with Mr. Slidell for a large quantity of cotton, will ask the American Government for facilities for getting it out, promising, at the same time that no contraband of war shall be introduced in exchange, and if the American Government will not consent to this, they will take it by force.*

The Moniteur seems to have come out frankly in favor of the rebellion. That paper has undertaken to explain away the odiousness of JEFF. DAVIS' reprisal proclamation by a certain arrangement of dates and of supposed motives which these dates prove. It abuses the government for not putting Gen. BUTLER on trial, and praises Gen. BANKS with that faint praise which gives one the impression that they are sorry for the change to Generals, since they have thus lost a capital point in the anticipated quarrel with the United States.

Mr. LINCOLN's Emancipation Proclamation is received with joy by the friendly, liberal Press, and with exclamations of disgust and hate by the Governmental Press. The following article, signed by M. GRENIER DE CASSAGNAC, Deputy in the Corps Legislatif, appeared also this morning in the *Nation*, in big type, and with big heading, and the line of argument here pursued is the same in all the Governmental journals, while the opposition journals are privately informed that they must be moderate, which amounts to an order to remain silent. *La Nation* says:

"PARISIAN JOURNALISM AND MR. LINCOLN.—The dispatches which arrived yesterday from New-York, [Mr. LINCOLN'S Emancipation Proclamation of Jan. 1,] ought to cause the last illusions of those of the Paris journalists who persist in claiming as the policy of the North the abolition of Slavery.

The Proclamation of President LINCOLN gives liberty to the slaves in the Confederate States, that is to say, where he has neither the right nor the power of realizing his promises, and he refuses it in the part of the two States which have constituted the authority of the North, that is to say, where he has the power at least to introduce the principles which are attributed to him.

The Abolition doctrines of President LINCOLN and of the Republican Party are therefore a mystery and a lie, and are incapable for the future of deceiving any one who does not voluntarily shut his eyes to the light.

People indeed must be well disposed to deception on the real motives of the North, in order to deny the evidences which go to show that the liberty of the slaves does not enter into the question.

Of the states composing the federation of the North are found Delaware, Maryland, Missouri, Kentucky and Tennessee, all Slave States, but little disposed toward emancipation.

If, therefore, the Federals had really at heart the principle of emancipation, they would have commenced at home before ridiculously proclaiming it among others.

In France, who have abolished Slavery in our colonies, ought naturally to desire that other countries should imitate us; but while desiring to see the slaves liberated, we have a right to demand that it be accomplished loyally, frankly, prudently, with the intention of rendering them useful liberty, and not in an underhanded roundabout, fraudulent manner, and in making of these unhappy creatures the present instruments and the future victims of sanguinary designs."

From all these facts I may be permitted to make two recommendations: First, to push on the iron-clads; and second, that you try to convince the factious citizens of the North that their opposition to the Administration is inviting this foreign intervention, and that their conduct is a monstrous treason to their country and to their own interests.

MALAKOFF.

THE SITUATION IN ENGLAND.

The President's Proclamation and the Governor's Inaugural—Gen. Butler and his Logic—The Alabama—Confederate Steamers in New-York Harbor—Meeting of Parliament—French Intervention, &c

From Our Own Correspondent.

LONDON, Saturday, Jan. 17, 1863.

The long agony of our dispute respecting the action of the Government is over. The President has proclaimed the freedom of three millions of slaves. If he leaves another million in bondage, it is because they are blessed with loyal masters. Their turn for freedom may come, either when their masters become disloyal, or are ready to surrender them to freedom for a composition.

A small but energetic party in England is delighted with the proclamation. The great majority looks upon it with disfavor and dread. They fancy that the President had no constitutional power to issue it. They quote his own opinion that it would be of no more use than a bull against a comet. It is supposed that Slavery is a State institution. Then there is a dread of insurrection, the massacre of whites, or the extermination of the blacks.

The brief inaugural of Gov. SEYMOUR is hailed with joy. To support the Constitution of the United States, with all its guarantees of personal liberty, and to maintain the sovereignty and Constitution of the State of New-York is considered a declaration of war against the Federal Administration. The prompt summons of the the New-York Police Commissioners for trial, is looked upon as a proof of sincerity and energy. The message of Gov. SEYMOUR to the Legislature is looked for with great interest. New-York City and State hold the destinies of the country. It rests with them to say how the Government shall be administered, and how the war shall be prosecuted. The great and powerful States of the North will follow the example of New-York. If Gov. SEYMOUR so wills, no citizen of the Empire State can be deprived of the rights of a free citizen. He has sworn with uncommon emphasis to maintain the sovereignty of the State. I presume it will not be pretended that this sovereignty has not been violated. But is it this very question of State sovereignty which is at the bottom of the bloody contest which has now raged for nearly two years; and Gov. SEYMOUR, if he adopts the Democratic theory, and attempts to carry it out, may find himself in the same position with respect to the Federal Government, as the Governors of Virginia or South Carolina.

The removal of Gen. BUTLER from New-Orleans has not caused any rejoicing. It has deprived the English Confederate Press of a pretext. His farewell address has been published in some of the papers. There is no standing against its merciless logic. Gen. BUTLER has proved that instead of being open to the charge of cruelty to the people of New-Orleans, he ought to be court-martialed for lack of severity. They were rebels and traitors. As such, they were all liable to the confiscation of their property and the punishment of death. Gen. BUTLER only took a small portion of their property, hung one, and sent a few to prison. He might have hung them all. In England, they would not only have been hung, but drawn and quartered, as WILLIAM SMITH O'BRIEN, BUTCHER, MEAGHER, &c., were sentenced to be. In India, they would have been shot from the cannon's mouth. Instead of blaming Gen. BUTLER, therefore, every rebel in New-Orleans ought to thank him for his moderation and mercy.

There is no escape from this logic. The whole people of the South, six or eight millions, deserve to be hung. They have no right to their negroes, their goods, or anything. As traitors and rebels they are outlawed. They have no property, no rights, no laws, no constitutions—they have not even a right to live upon the earth. Their claim to existence is forfeited. They may all be hanged on the next tree by whoever will go and do it. That they still live, and fight, and manage to hold their own, and defend their territory, does not alter the rights of the case. Because you cannot get at them, or hang them, is no proof that they ought not to be hung. Gen. BUTLER's logic is unimpeachable, and it is a full justification for everything he has done. MUMFORD, whom he hung in New-Orleans, was a rebel and a traitor. His life was forfeit by the fact. Gen. BUTLER had a right to hang him and twenty thousand more.

President DAVIS has outlawed Gen. BUTLER by proclamation. He was himself outlawed from the beginning of the rebellion. He has killed tens of thousands of loyal citizens. Gen. BUTLER, I believe, cannot be personally charged with the death of even a dozen of rebels and traitors. DAVIS is a thousand and ten thousand times a murderer, because a rebel has no rights. This is the naked logic of the matter. Upon the Northern theory, which calls the Southerners rebels, and their men-of-war pirates, every prisoner taken should be put to death. The doom with which JEFF. DAVIS threatens Gen. BUTLER should be inflicted upon every Confederate officer and soldier, and, for that matter, upon the entire population of the South, who refuse obedience to the laws of the Union. For less crimes than they have committed England has confiscated the whole soil of Ireland three times over, and carried fire and sword through every portion of it, massacring men, women and children without mercy—yet England complains of the severity of Gen. BUTLER, and if he were to come to London now, he would undoubtedly be treated worse than Gen. HAYNAU was in BARCLAY & PERKINS' Brewery.

The achievements of the Confederate steamer *Alabama* are read here with great satisfaction. The protests of the New-York Chamber of Commerce are met with the statement that two or three more of the same sort are nearly ready, that New-York as well as English capital is invested in them, and that one is at this moment building at New-York, destined for the same service. And why not? There are Confederate sympathizers in New-York who have made millions out of the National Government, doing the South a service by every dollar of which they have robbed the North. What should hinder them from fitting out *Alabamas* in New-York, and sending them out to prey on National commerce, or to run the blockade? They can pretend that they are building them for the Government. They can send them out to the West Indies for their armaments. Really, there is so little difficulty in the matter, that the only wonder is that there are not scores of privateers swarming the seas. If it were certain that the war would continue, you would see plenty of them.

The January number of *Blackwood* contains an article entitled "A Month in the Confederate Capital," which is likely to have a strong influence upon Parliament. It may have been written by the British officer taken prisoner at Baltimore the other day. Parliament meets on the 5th of February, and if the members vote as they have talked during the recess, there will be an overwhelming majority for immediate recognition. The report that Mr. ROEBUCK is to enter the Ministry looks the same way, as he is one of the most out-and-out Southern sympathizers.

The Emperor, it is confidently stated, is very determined upon bringing the maritime Powers into his policy of intervention. It is now understood to be only a question of time and expediency. Recognition is certain, because there is but one opinion among the European Powers, which is that the war to restore the Union is hopeless. They do not believe that LEE can be defeated, or Richmond taken. They are of the opinion that the South is fully as determined and fully as able to defend her territory as she was a year ago. They have no faith in Gen. BANKS, and no hope in the negroes. If twenty millions of white men, with the command of the military resources of the world cannot conquer the South, what can be expected, they say, of three millions of unarmed slaves, who have hitherto shown very little disposition to gain even their own freedom?

Sir O. WOOD, a member of the Government, in a speech, a few days ago, felt obliged to apologize for the Government's refusal to join with France in the intervention. He said England had not refused—only postponed—and was free and ready to interfere as soon as there was any prospect of success.

The two Cabinets, France and England, will await the news of military operations in Tennessee and on the Mississippi. If ROSECRANS is defeated, as every one believes, and if the attack on Vicksburgh is unsuccessful, there will be immediate action, unless something should come of the Proclamation, or the position taken by Gov. SEYMOUR should render intervention unnecessary.

I generally confine myself to the humble duty of giving a reflection of opinion around me, and I believe that I may claim the merit of having performed that function with fidelity. If I might be permitted to give an opinion of my own, I should say it is time for the head and heart of the nation, so far as there is a nation in America, which head and heart are not, as I can see, at Washington, to consider whether this war is to be carried on, for what purpose it is to be carried on, how it is to be carried on, and by whom. The time has come when the nation, the thinking people, must unite on some policy and in some action. Every American in Europe is tired, humiliated and disgusted at the present position of affairs. The country, what there is left of it, is not safe. A nation must have unity of interest and a common glory. If there is any patriotism left in the North, it is needed at the present crisis—not to rush on death in wretched defeats or fruitless victories, but to restore and reinvigorate the national life.

A delegation of Abolitionists has waited upon Mr. ADAMS, the American Minister, to assure him of their sympathy with Mr. LINCOLN. The Proclamation is joyfully welcomed by this party, which is not without its influence.

MONADNOCK.

—Gen. GUITAR, of the State force, has created great excitement in St. Joseph, Mo., by the arrest of five Union men upon the complaint of some notorious rebels. At last accounts the jail was surrounded by an excited crowd, who threatened to tear down the building unless the prisoners were released.

LOCAL INTELLIGENCE.

The Public Schools.

SUPERINTENDENT RANDALL'S REPORT.

Mr. S. S. RANDALL, the Public Superintendent of our City Public Schools, has presented to the Board of Education a voluminous Annual Report, covering important information concerning the attendance, finances and management of the schools.

The aggregate number of the pupils taught in our public schools during the year was 173,105. Of this number there were in the

Male Grammar Schools	22,772
Female Grammar Schools	22,742
Primary Departments	74,054
Primary Schools	25,209
Colored Schools	2,291
Corporate Schools	16,051
Total	173,105

—showing an increase of 12,354 over the preceding year. Of these

The No. taught for 10 months and over was	40,128
The No. taught for 8 months and less than 10	19,568
The No. taught for 6 months and less than 8	21,308
The No. taught for 4 months and less than 6	24,653
The No. taught for 2 months and less than 4	31,526
The No. taught for less than 2 months	35,317
Total	173,105

The number of pupils in the several Evening Schools during the year was 18,639
Number of pupils in Free Academy 847
Total 192,591

The average attendance shows an increase of 3,170 over the previous year. The average attendance in the several evening schools during the term ending March 1, 1862, was 8,433. The teachers in the day schools numbered 1,806—of whom 191 held State certificates, 21 were graduates of the State Normal school, and the remainder were licensed by the City Superintendent. Of the number 106 are male, and 1,700 female teachers.

FINANCES.

The finances of the Department are satisfactory. The receipts from all sources for the year ending Sept. 30, 1862, were $1,648,317.42, of which there remains now in the treasury after paying teachers' salaries and all other expenses, repairing, fuel, &c., a balance of $224,187.07.

NORMAL SCHOOLS.

After giving a history of our public school system, the Superintendent proceeds to make several important suggestions. He deplores the discontinuance, some two years since, of the Female Normal School, and advocates the reorganization of the normal department, and also the establishment of a Female High School, which will offer advantages to girls similar to those which boys can enjoy in the Free Academy.

EVENING SCHOOLS.

In regard to evening schools, the report shows that there is a great falling off in the attendance after the holidays, and the Superintendent thinks that, by commencing the term a few weeks earlier, and closing it at Christmas, all the substantial advantages of its prolongation into March would be secured, while a nearly and comparatively useless expenditure would be avoided. A new system of classification of studies is also recommended. The war has had an unfavorable effect upon the evening school attendance.

SCHOOL DISCIPLINE.

A change in the system of recesses is earnestly advised. Instead of frequent short intermissions, a recess of one hour, to allow pupils living near by to go home to dinner, is recommended. In regard to punishments, Dr. RANDALL says:

"In no case should this power be permitted to be delegated to subordinate teachers; nor should it ever be inflicted without due inquiry and investigation into the facts of the case requiring it, in the heat of anger, or in the presence of the school. Nor should any teacher be allowed to make use of any of those modes of discipline not included under the general designation of chastisements, consisting of painful and disgraceful postures, exposure to the derision of the school, harsh and rebukeful language, or acts and vindictive indications of any kind. Discipline, to be effective, needs not unnecessary rigor or harshness; nor can its object ever be attained, where manifest injustice or unequal severity is believed to exist. In the absence of any definite legislation by the Board in this respect, the School Officers of the several Wards should exercise a constant vigilance and rigid supervision over this important feature of the system placed under their charge."

The Police Department, it appears, have offered to assist in preventing the evils of truancy; so that truant boys will be looked upon as offenders against public morality, and WASHINGTON PARLOR will have to include "playing hooky" among the lost arts.

LIBRARIES.

The propriety of expending the fund for libraries for individual schools is questionable. The superintendent inclining to the belief that it would be better to reserve the annual fund of $10,000 for ten years, and then establish therewith a large public library for the pupils. He says:

"The division of the fund among the twenty-two Wards, furnishing an independent library to each Grammar School, is accordant with the provisions of the existing law, and might, although very valuable facilities to the pupils, and accomplish great good. A central institution, however, embracing a large variety of standard works in all the various departments of literature and science, selected by competent persons familiar with bibliography in all its branches, and furnished with the requisite authority to purchase to the best advantage, might be established, which would be easily accessible to all, and far more valuable, relatively considered, than a large number of smaller libraries, consisting, as they must necessarily do, to a very great extent, of the same works."

A large portion of the able report is devoted to the methods of instruction. Mr. RANDALL strongly recommending the use of the "Object Lesson" system.

The Superintendent, in conclusion, bears high testimony as to the patriotism manifested both by the pupils and teachers in our public schools during the present National struggle.

Election of Chief Engineer To-night.

To-night the Fire Department of this City will elect a Chief Engineer, to serve for the term of three years, and the unprecedented spectacle is presented of a unanimous desire in the Department for the reelection of the incumbent. The form of an election must, however, be observed, and the members of the various fire companies will, at their various carriage-houses, between the hours of 7 and 9 this evening, formally signify their preference by ballot. The returns will be immediately carried to "The Gotham," No. 326 Bowery, where they will be counted by the inspectors, and the result announced about midnight. There seems to be no doubt that Chief Engineer JAMES DECKNER will be reelected without opposition.

Mr. DECKNER has been a New-York fireman over twenty years. He was elected Assistant Engineer on the 1st of January, 1861, and reelected again in 1862. In 1860 he was elected Chief Engineer having received 5,481 votes to 1,795 cast for Messrs. CARSON and CARSON—or 306 votes more than his combined opponents. Last Friday night, after nearly three years of service as Chief, he received the unanimous recommendation from the Board of Representatives. The unanimity of the Department in his favor is the best commentary on the manner in which he has performed his duties. He has been chiefly in the performance of those duties, economical in expenditure, and has shown ability in taking a practical interest. He has, while attending to his official business, found time to materially aid the cause of the Union in encouraging enlistments from the Fire Department, and there seems to be no doubt that his reelection will prove satisfactory to the public generally as well as to those more immediately interested—the Fire Department.

THE CITY GOVERNMENT.

OFFICIAL.

BOARD OF ALDERMEN.

STATED SESSION—MONDAY.

[February 2, 1863, 5 o'clock P. M.

The Board met pursuant to adjournment.

The President—HENRY M. RUSHMORE, in the chair.

The Clerk—ANDREW J. ROBERTSON.

Present—Aldermen Wm. Smith, Henry, Hall, McCool, Reed, Chipp, Mitchell, Jeremiah, Hardy, Boole, Masterson, Ottiwell, Freeman, Farley, Lang—18.

The minutes of the last meeting were read and approved.

PETITIONS.

By Alderman Boole—

Petition of the New-York Submarine Engineering Company, for extra pay.

Which was referred to Committee on Wharves, Piers and Slips.

By Alderman—

Petition of the managers of the German Hospital for lease of a plot of ground, at a nominal rent, on which to erect their hospital building.

Which was referred to Committee on Finance.

RESOLUTIONS.

By Alderman Hardy—

Resolved, That the Street Commissioner be, and he is hereby authorized and directed to advertise for proposals for erecting a house for Hose Company number Forty-three, the same to be built on the site now occupied by said company.

Which was referred to Committee on Fire Department.

By Alderman Boole—

Resolved, That the New-York *Herald* be, and is hereby designated, as a Corporation paper, to publish the official proceedings of the Common Council, and the advertisements of the Department of the City Government.

In connection with the above Alderman Farley presented the following resolution:

Whereas, There are at present a number of papers designated by the Corporation to publish the proceedings of the Common Council; and

Whereas, It is the opinion of the Common Council that the publication of six same by several of the papers is unnecessary, and very expensive; therefore

Resolved, that the Committee on Printing and Advertising be directed to report to this Board at its earliest convenience a plan to economize, reduce and select proper newspapers to publish the proceedings of the Common Council.

Which were severally referred to the Committee on Printing and Advertising.

By Alderman Freeman—

Resolved, That the petition of William H. Kiting, Esq., relating to a claim, be taken from the files and referred to the Committee on Finance of Board of Aldermen.

Which was adopted.

By Alderman Ottiwell—

Resolved, That a Special Committee of five be appointed to examine and report, on each or any of the premises, all the information they may be entitled to obtain touching the administration of the office of the Street Department during the term of Mr. Devlin and Commissioner the Street Committee have power to send for persons and papers.

Which was laid over.

By Alderman Boole—

Resolved, That the Street Commissioner be and is hereby directed to advertise for proposals for removing all obstructions and incumbrances on the line of the streets on Broadway from Thirteenth to Eighteenth streets, and return the bids to the Common Council for confirmation, stating the amount for each obstruction or incumbrance separately.

Which was referred to Committee on Streets.

By Alderman Ottiwell—

The resignation of John Tyler, as a Commissioner of Deeds.

Which was accepted.

Whereupon he presented the following resolution:

Resolved, That George E. Hare be and he is hereby appointed a Commissioner of Deeds, in place of John Tyler, resigned.

Which was adopted.

By Alderman Long—

Resolved, That One Hundred and Twenty-fifth street, from Third avenue to Harlem River, be regulated and graded, under the direction of the Street Commissioner.

Which was referred to Committee on Roads.

By Alderman Boole—

AN ORDINANCE.

To provide for a Special Agent in the Public Administration Bureau, to take special charge of the estate of deceased officers.

The Mayor, Aldermen and Commonalty of the City of New-York do ordain as follows:

SECTION 1. The Public Administrator is hereby authorized and empowered to employ in his Bureau a commissioner who shall, under the direction of the said Public Administrator, be personally charged with the care of the administration of the estates of soldiers dying intestate in the City of New-York, or elsewhere, whose last place of residence was in said City, and with obtaining information concerning the heirs and next of kin of such soldiers, and corresponding with their relatives, friends, or representatives.

SEC. 2. Such commissioner shall receive for his services an annual salary of two thousand dollars.

Which was laid over.

By Alderman Masterson—

Resolved, That Broadway or Bloomingdale Road be widened between Fifty-second and Fifty-sixth streets, according to the plan now extant, according to the law entitled "An act authorizing the Street Commissioner and Commissioners of the City of New-York to widen and open a way of Bloomingdale Road between Fifty-ninth and Fifty-sixth streets in the City of New-York," passed April eighteenth, one thousand eight hundred and fifty-seven, and that the Counsel to the Corporation take the necessary steps therefor.

Which was referred to Committee on Roads.

MESSAGE FROM HIS HONOR THE MAYOR.

A message was received from His Honor the Mayor, transmitting the report of the receipts and expenditures of the Cooper Union for the Advancement of Science and Art for the year one thousand eight hundred and sixty-two.

Which was received, and directed to be entered at length on the minutes.

COMMUNICATIONS.

A communication was received from Thomas W. Conway, Major-Commanding Second Regiment, Hawkins Zouaves, relative to Bounty.

Referred on the part of the Board to the Committee on Finance.

A communication was received from the New-York Savings Bank, being a report of its condition on the 1st day of January, 1863.

Received and ordered on file.

A communication was received from the Commissioners of the General Park and Parkway, transmitting their report for the year 1862.

Received, and 2,500 copies ordered to be printed in document form.

A communication was received from the Comptroller, with statement of Treasury receipts, for month ending one thousand eight hundred and sixty-three.

Which was received and ordered on file.

A communication was received from the Comptroller in answer to a resolution relative to real estate surrounded by Bloomingdale and Sixteenth streets, Avenue B and the East River.

Which was received and ordered on file.

The following communication was received from the Comptroller, in relation to the ordinance relative to change notes, and other matters relative to the purchase of the Post Government property:

CITY OF NEW-YORK, DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, Feb. 2, 1863.

To the Honorable the Common Council of the City of New-York:

GENTLEMEN—The presence of the entire business of the Finance Department, since my accession to office, has prevented me from giving earlier attention to the ordinance of your predecessors in relation to the issue of "Change Notes," for the fractional parts of a dollar, to be used as currency. Having now carefully examined the measure, I am brought to the conclusion that it would be a violation of law to execute its provisions, and I respectfully report against its passage. I think, indeed, so far as this Department is concerned,

I regret to thus again encounter a serious difference with the legislative department of the City Government, but conscientious clear convictions of duty on this question, and dreading the evil consequences of grave indecision to the public interest, I have felt it my duty to do so.

The Executive Department of the City Government, within their province, have equal responsibility with the legislative, and no executive will, or can, shield himself behind the action of his predecessors, or the opinions of his successors, in this City, and with authentic information in his possession, and with continual intercourse with the City Comptroller, I shall fail in my duty if I do not, as I have, from time to time, urge upon the Common Council the necessity of a thorough revision of the ordinances, and a consolidation of the laws of the City.

While, therefore, I shall lay no claims to sit in judgment on the wisdom or expediency of this or any other measure, to these considerations are wholly within the legislative discretion, I shall always claim the right to exercise my judgment upon the validity of any law or authority to do any given act which may be called upon to perform.

Upon these questions I shall exercise no doubtful powers, and if I err, it will be on the side of the law, and, I trust, of sound public policy. Possibly, it is my duty to lay before your honorable body the grounds upon which I found my judgment in regard to the ordinance under consideration.

The ordinance directs the Comptroller to cause the necessary designs to be prepared and employed, and to procure the printing of notes of the denominations of five, ten, twenty-five and fifty cents, to an amount not exceeding three millions of dollars.

These notes are to be payable on demand. It bears the signatures of the Mayor and Comptroller, and are to be deposited with the Chamberlain, who is to be charged with the same, as with the other funds of the Corporation.

The notes are to be receivable for all dues and obligations due to the Corporation, and are also to be given to persons, desiring the same for circulation, in sums of not less than five dollars, who shall deposit with the Chamberlain current funds for the amount desired. The Chamberlain is required to keep an account of the money so received, and the money so received is to be held intrust, as a fund for the redemption of the notes, except that the Comptroller is authorized to invest from time to time in the temporary loans of the Corporation, a portion of the money so received by the Chamberlain, but not exceeding one-half of the money in his hands. The balance remains in the custody of the Chamberlain for the redemption of the notes.

On presentation of these notes to him in sums of five dollars, or the multiples thereof, the Chamberlain is required to redeem them, but, for sums that appear to the contrary, may retain a small percentage, which they are finally called in by the Common Council or Comptroller, under the provisions of the ordinance.

Assuming the scheme to be constitutional, and that the notes will be adopted by the public as money, the result would be, that the Corporation would at once add to the present currency, the sum of three millions of dollars, or millions of dollars of additional forms of the most objectionable denomination.

One million, and a half dollars of the capital thereby realized would be in the hands of the Chamberlain, unemployed and idle, and the remaining half million would be employed by the Corporation in aid in carrying on the City Government.

This, in my judgment, is the exercise of banking powers, so much so, if the bills proposed to be issued were for the full amount of five dollars, that the City and the capital were absolutely pledged, if it wholly foreign to the objects and powers of a municipal corporation, and would be little less than a violation of law. I point out these particulars and dangerous powers of banking operations on the credit of the City, which would remove every doubt, if any exists, that the bills proposed are illegal and invalid.

I have concluded to disclose payment on the ground of vacation, as the authority of the title, and leave the payment of their legal value.

If the City can be compelled to receive the notes in the payment of taxes, and if they have not, they are not entitled to the money demanded. It is proper, perhaps, to say that I do not consider the sum proposed to be paid to the greater than the present value of the property, or that the premises are not well adapted to a public market.

So far as I can learn the facts upon which the question of title arises, it would appear that, at about the year 1808, the property then being occupied by the Corporation, was struck off by Joseph Taylor, then Comptroller, to Stephen Lorillard, a citizen of the City, the highest bidder, he accepted his bid, or directed the deed to be made out to Mrs. Elizabeth Lorillard, who was then a minor, and who, on her marriage, was subsequently married to purchaser from the Corporation, Mr. Joseph B. Varnum, who, it is claimed, was the intermediate of Mr. Dunlap, and the whole transaction invalid. It is also claimed that the Corporation never received the money, and that it was not credited in the books of the Corporation, but that it was paid in the form of scrip, or stock, or stipulated. It does not consider that to be a sufficient consideration, and that the City should not have received any other than a proper, legal and valid mortgage, and the City could have at any time compelled performance of the terms of sale in this respect.

The substantial ground of objection is that presented by the assignees of Mr. Dunlap in the transaction, and on that ground I base my refusal to comply with the resolution of your predecessors, directing the purchase. All of which is respectfully submitted.

MATTHEW T. BRENNAN, Comptroller.

Alderman Boole moved that the communication be received and laid on the table, published at length in all the Corporation papers, together with the Herald and Sunday Atlas, and referred to the Committee on Finance.

Which was carried.

REPORTS.

The Special Committee to whom was referred the preamble and resolution in relation to lands in the harbor of the City of New-York claimed by the State, presented a report in favor of memorializing the Legislature to repeal the act.

Which was adopted by the following vote:

Affirmative—Aldermen Wm. Smith, Henry, Hall, McCool, Reed, Chipp, Mitchell, Jeremiah, Hardy, Boole, Masterson, Ottiwell, Freeman, Farley, Lang—18.

The Committee on Finance presented a report in favor of paying Henry B. Dawson for certain historical papers relating to the City during its occupation by the British Parole Prisoners.

Which was laid over.

NOTICES.

Alderman Boole moved that the Committee on Streets be discharged from the further consideration of petition from Board of Councilmen of New-York Eye for permission to place bulletin board in front of premises with resolution that the petitioners be and hereby are granted permission to place bulletin board at or outside the entrance to their office, number thirty-seven Park-row and number one hundred and forty-five Nassau-street, the same to be placed under the direction of the Street Commissioner.

Which was carried.

The resolution was then concurred in.

Alderman Boole moved that the Committee on Lamps and Gas be discharged from the further consideration of resolution that the Street Commissioner be directed to lay gas mains in Forty-third-street, between Fourth and Fifth avenues, and light the same.

Which was carried.

The resolution was then adopted.

Alderman Long moved that the Committee on Lamps and Gas be discharged from the further consideration of resolution of Board of Councilmen, that Messrs. Smith and Green, proprietors of the Revere Hotel, corner of Broadway and Houston-street, be permitted to place upon the stoop, in front of said premises, two gas lamps, to be supplied with gas from the hotel attached to said hotel.

Which was carried.

The resolution was then concurred in.

Alderman Boole moved that the Committee on Wharves, Piers and Slips be discharged from the further consideration of resolution permitting the proprietors of the Novelty Works to construct their pier.

Which was carried.

And the same was laid over.

Alderman Ottiwell moved to discharge the Committee on Finance from the further consideration of resolution appropriating $6,000 to the House of the Good Shepherd.

Which was carried.

And the same was laid over.

PAPER FOR BOARD OF COUNCILMEN.

Resolution, That the name of Willis A. Keber, recently appointed messenger of deeds, be changed to Willis E. Keber, the same being a clerical error.

Which was concurred in.

Report of Committee on Ordinances, with ordinance creating a Deputy Collector of City Revenue, at a compensation of one thousand two hundred dollars per annum.

Alderman Boole presented the following as a substitute:

The Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened, do ordain as follows:

SECTION 1. That there shall be a Deputy Collector of City Revenue, a Clerk and Deputy Clerk, of West Washington Market, who shall be appointed in the same manner as the Deputy Collector and Clerks of the other public markets of the City are now appointed.

SEC. 2. The Deputy Collector of City Revenue to be appointed in pursuance of this ordinance shall receive as compensation the sum of one thousand two hundred dollars per annum; the Clerk shall receive a compensation of one thousand five hundred dollars per annum; and the Deputy Clerk shall receive a compensation of one thousand dollars per annum.

SEC. 3. There shall be a messenger for the Collector of City Revenue, who shall be appointed in the same manner as the other messenger in the Finance Department. The salary of the messenger of the Collector of City Revenue shall be eight hundred dollars per annum.

SEC. 4. This ordinance shall take effect immediately.

Which was laid over.

Resolved, That the sum of one hundred and eighty dollars be appropriated to pay George W. Bonnie for refreshments furnished to the Committee on Ferries, Alderman Boole, Chairman, at the Ball, Captain Dodge, Captain Rowland and Hotel Bergen.

Which was laid over.

Message from His Honor the Mayor, returning the approved sum minutes, including Jacob Ruhle and others Central Park commissioners, with resolution correcting error in the name of one other commissioner.

Which was received.

The Board of Commissioners of Emigration, with accompanying the objections of His Honor the Mayor, to the resolution on the subject of the Board setting in favor thereof.

Which was laid over.

Resolution to pay John H. Robertson, &c., the sum of forty dollars and sixty-eight cents, for flowers from railing, &c., to the Chamberlain of Board of Aldermen.

Which was referred to Committee on Finance.

PAPERS HERETOFORE LAID OVER.

Communication from the Comptroller, transmitting a statement of the Relief and War Loans made by the Corporation with the state, also law relating particularly to the payment of said loans, and authorizing a continuance of the same, therefore granted to the families of volunteer soldiers.

(By Board of Councilmen, draft of law adopted.)

Which was concurred in by the following vote:

Affirmative—Ayes, The President, Henry, Hall, McCool, Reed, Chipp, Mitchell, Jeremiah, Hardy, Boole, Masterson, Ottiwell, Freeman, Farley, Lang—18.

RESOLUTIONS RESUMED.

By Alderman Boole—

Resolved, That so much of the Comptroller's annual report, as relates to the Common Council, of the January meeting, commencing with the year 1857, sixty-three, be taken up for consideration, and that the Board do now proceed to the consideration of the resolution of Alderman Boole, in relation to the Board of Assessors, and the Board of Revision of Assessments, and the Board of Commissioners of Emigration, which many years ago, by the Legislature, were established a special department of the State government, vested with the entire jurisdiction of the subject, including the passing and consummating of all notes for public circulation, and providing for adequate security for the protection of the public interests. And it is certainly, by the protection of the public interests, and such, as are generally authorized by law, shall issue only evidence of debt to be issued, or put in circulation, and by a violation thereof, Resolved, If the Common Council possesses power to issue circulating notes at all, that a special commission, with authority to issue in violation of another provision of the statute, which ensures by prohibiting the issuing of any bill or promissory note of a denomination less than one dollar—given, Revised Statutes, fifth Ed. six hundred and twenty-two, section twenty-six.

I cannot but regard the measure, in whatever light it may be viewed, as being wholly without the authority of law.

If I am wrong in my conclusions, I have honorable body have the power of correcting my error by an application to the judicial tribunals to enforce the execution of the ordinance.

In any event, should your views of the expediency of the measure remain unchanged, it would be desirable to obtain a judicial settlement of the question of legal power.

If the power does not exist, the attempt to exercise it would be attended with endless evils; there would be no judicial legal protection against fraud, and the notes might be issued without any remedy under the statutes, provided against counterfeiting. The notes of this character issued by other municipal corporations have been forged and fabricated to such an extent that public faith in such notes would seem to have been entirely lost, and they are generally refused by the business community. In anticipation of the proposed issue of notes by the State, extensively counterfeited, and ready to be uttered, have been discovered, and I have no doubt a public opinion of counterfeiting them would soon be in operation.

I respectfully ask your grave consideration of this question. It presents a principle involved in the general application, and will undoubtedly, if it be a precedent for future action, be a source of trouble.

I have refrained from expressing any opinion in regard to the expediency of the measure, believing such considerations to be wholly within your legislative discretion, but I would respectfully suggest, that, in view of the present depreciated state of the currency, in view of the prejudice that exists in the public mind in regard to all other "change notes," whether the public demand in this respect is not only fully met, but whether there not also a strong probability that the Corporation bills, if issued, would not be taken by depositors to any considerable amount.

And in this connection I would remark that the appropriation of ten thousand dollars to carry the ordinance into effect is, in my judgment, a very inadequate estimate of the probable cost of engraving suitable plates and printing notes of the several denominations provided for, and that that expense alone will exceed, nearly thousand dollars, and this does not include the expenses to be entailed for clerical and other assistance in carrying the proposed executive system into operation.

I have also come to the conclusion to decline to execute the resolution of the Common Council for the purchase of the plot of ground known as the Cooper Union property. I am governed by the same principle of doubt of the question as upon that to which I have referred at length.

It is gravely doubted that the title to this property is not in the person from whom it is proposed to be purchased, and while I am not prepared to say that the objection is valid, I am certainly convinced to doubt the validity of the transaction, and the large amount of the proposed purchase money paid out without a judicial determination of the question.

I have concluded to disclose payment on the ground of vacation, as the authority of the title, and leave the parties to their legal remedies.

If the City can be compelled to receive the notes in the payment of taxes, if they have not, they are not entitled to the money demanded. It is proper perhaps to say that I do not consider the sum proposed to be paid to the greater than the present value of the property, or that the premises are not well adapted to a public market.

So far as I can learn the facts upon which the question of title arises, it would appear that, at about the year 1808, the property then being occupied by the Corporation, was struck off by Joseph Taylor, then Comptroller, to Stephen Lorillard, a citizen of the City, the highest bidder, he accepted his bid, or directed the deed to be made out to Mrs. Elizabeth Lorillard, who was then a minor, and who, on her marriage, was subsequently married to purchaser from the Corporation, Mr. Joseph B. Varnum, who, it is claimed, was the intermediate of Mr. Dunlap, and the whole transaction invalid. It is also claimed that the Corporation never received the money, and that it was not credited in the books of the Corporation, but that it was paid in the form of scrip, or stock, or stipulated. It does not consider that to be a sufficient consideration, and that the City should not have received any other than a proper, legal and valid mortgage, and the City could have at any time compelled performance of the terms of sale in this respect.

The substantial ground of objection is that presented by the assignees of Mr. Dunlap in the transaction, and on that ground I base my refusal to comply with the resolution of your predecessors, directing the purchase. All of which is respectfully submitted.

MATTHEW T. BRENNAN, Comptroller.

Alderman Boole moved that the communication be received and laid on the table, published at length in all the Corporation papers, together with the Herald and Sunday Atlas, and referred to the Committee on Finance.

Which was carried.

REPORTS.

The Special Committee to whom was referred the preamble and resolution in relation to lands in the harbor of the City of New-York claimed by the State, presented a report in favor of memorializing the Legislature to repeal the act.

Which was adopted by the following vote:

Affirmative—Aldermen Wm. Smith, Henry, Hall, McCool, Reed, Chipp, Mitchell, Jeremiah, Hardy, Boole, Masterson, Ottiwell, Freeman, Farley, Lang—18.

The Committee on Finance presented a report in favor of paying Henry B. Dawson for certain historical papers relating to the City during its occupation by the British Parole Prisoners.

Which was laid over.

NOTICES.

Alderman Boole moved that the Committee on Streets be discharged from the further consideration of petition from Board of Councilmen of New-York Eye for permission to place bulletin board in front of premises with resolution that the petitioners be and hereby are granted permission to place bulletin board at or outside the entrance to their office, number thirty-seven Park-row and number one hundred and forty-five Nassau-street, the same to be placed under the direction of the Street Commissioner.

Which was carried.

The resolution was then concurred in.

Alderman Long moved that the Committee

Which was carried.

Report of Committee on Fire Department, with resolution that a suitable building be erected for the use of Hook and Ladder Company number two hundred and eleven, West Fortieth-street, and that the corresponding appropriation therefore be adopted.

Committee Concurred with the ordinance be amended by striking therefrom the authority for the appointment of a foreman and City Surveyor.

Which was carried.

And the resolution as amended was adopted by the following vote:

Affirmative—Councilmen Hayes, Kennedy, Sandford, Tucker, Wolfe, Wright, McCoy, Meyer, Kelly, Sweeny, Hoffman, Hayland, Murray, O'Brien, Cook, Brandon, Boice, Hewitt, Wakefield, Joyce—18.

Negative—Councilmen Kohler, McCready, Hemphill, Lynch—4.

Report of the Committee on Penitence and Charities, in favor of allowing resolution that the Comptroller drawing Kerrigan, Kennedy, Sullivan, Ryan, Hogan, Mullen, Kerrigan, Kennedy, for Ninety-six dollars, for the purpose of enabling her to pay the funeral expenses of her late husband, and charge the same to the account of appropriations for dependents and charities.

Which was lost on a division by the following vote:

Affirmative—Councilmen Hayes, Sandford, Wolfe, McCoy, Kelly, McCready, O'Brien, Wakefield—8.

Negative—Councilmen Healy, Tal Tredwell, Cook, Brandon, Hemphill, Hayland, Gaw, Murray, Cook, Meyer, Boice, Hewitt, Joyce—18.

Communication from Mayor, stating that each vote be recorded.

Which was carried.

Communication from Mayor, stating that the mayor be referred to the Committee on National Affairs.

Which was carried.

Preamble of Board of Aldermen relative to the revised compilation of the laws of this State, relating particularly to the City, up to and including the thirty-third, one hundred and sixty-one, prepared by the Clerk of the Common Council, and that the number of copies of the same be printed at the expense of the Corporation, under the direction of the Clerk of the Common Council.

Which was referred in Concurrence on Printing and Advertising.

Resolution of Board of Aldermen, that the Clerk of the Common Council procure the annual report of the Commissioner for the Department of Parks, and that the same be printed in pamphlet form, under the direction of the Committee on Parks.

Councilman Jones moved to amend the same by limiting the number of copies to six thousand.

Councilman Webster moved to amend the amendment by striking therefrom six thousand and inserting eight thousand.

Which was carried, and the amendment as amended was adopted.

The resolution as amended was then adopted by the following vote:

Affirmative—Councilmen Hayes, Healy, Sandford, Webster, McCoy, Gaw, Healy, McCready, Hemphill, Hayland, Gaw, Murray, Cook, Brandon, Boice, Hewitt, Fitzgerald, Joyce—18.

Negative—Councilmen Kohler, Tal Tredwell, Sweeny, Meyer—4.

Resolution of Board of Aldermen: First—That copies of the Constitution of the State of New-York, relative to this City, compiled by the Clerk of the Common Council, be printed in pamphlet form, under the direction of the Committee on Printing and the Judges; Second—That a sufficient number be placed on sale to satisfy the public demand, the price not to be less than six dollars, the number to be placed on sale to be left discretionary with the Clerk of the Common Council, who shall report to the Comptroller, and place the proceeds in the City Treasury.

Which was referred to Committee on Printing and Advertising.

On motion the Board then adjourned.

Whereupon the President pro tem. declared that the Board stand adjourned to Monday, February nine, at Five o'clock P. M. JAMES M. SWEENEY, Clerk.

LAW REPORTS.

Court Calendar—This Day.

SUPREME COURT—GENERAL TERM.—Nos. 1 to 28. Preferred cases. General calendar.

SUPREME COURT—CHAMBERS.—Part 1.—Nos. 1301, 1377, 77, 78, 132, 139, 145, 237, 249, 267, 311, 361, 409, 473, 485, 525, 527, 537, 545, 617. Part 2.—Nos. 1020, 645, 1194, 1043, 646, 650, 700, 708, 714[illegible], 740, 754, 768, 842, 852, 850, 858, 892, 926, 928, 938.

SUPREME COURT—SPECIAL TERM.—Demurrers only.

SUPREME COURT—TRIAL TERM.—Part 1.—Nos. 779, 883, 1035, 1045, 1121, 1271, 1317, 1073, 787, 1247, 1491, 1237, 1255, 1261, 1341, 1343. Part 2.—Nos. 1002, 2094, 1300, 1302, 1324, 1364, 794, 1216, 1140, 1198, 1322, 1356, 1360, 1348, 976, 1382.

COURT OF TRIAL—TRIAL TERM.—Part 1.—Nos. 1065, 1096, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1108, 1109, 1110, 1111, 948, 901. Part 2.—Nos. 1016, 2004, 1002, 1005, 1003, 964, 1005, 1006, 1027, 1028, 1029, 1074, 1038, 1097, 1098.

Husband and Wife—They May Not Sue Jointly or Severally for Injury to the Character of the Wife Only.

SUPREME COURT—SPECIAL TERM.

Before Justice Sutherland.

Frederick Engle and Wife vs. *Henry Schutte.*—The plaintiffs in this case brought their action as husband and wife to recover damages for an alleged slander uttered, as claimed, on the the 19th day of December last, concerning the wife only. The damages were laid at $6,000.

The defendant demurred to the complaint on the ground that the joint cause of action stated is insufficient in law, in case of the wife, and that the plaintiffs claim that the action could only be maintained by and in the name of the wife alone; that the act of 1860 has completely changed the rights of husband and wife in respect to acts committed upon the person or character of the wife, and made her the sole plaintiff in actions brought for death, and has taken from the husband all right to a control over the wife, or claim for damages for such injuries. The defendants counsel further contended that when husband and wife unite in bringing an action, and the complaint showed that the wife must bring the action without the other, a demurrer will lie for the reason that it did not state facts sufficient to constitute a cause of action, and cited in support of his position (Manson vs. Sturges, 31 How., p. 205; Code, sec. 144; Session Laws 1860, p. 156.) The Court, after hearing counsel for the plaintiffs ordered judgment on the demurrer for the defendant, with costs.

E. R. Ranken, for plaintiff; Alex. H. Reavey, for defendant.

The Enforcement of a Decree for the Payment of Money—It must be by Execution, and not by Proceedings as for a Contempt.

SUPREME COURT—SPECIAL TERM.

Before Justice Sutherland.

Gray vs. *Cook, Administrator, &c.*—This was a proceeding as for a contempt in enforce the payment of money, in pursuance of a decree of this Court, made 12th December, 1860.

The decree contained among other provisions the following: "It is therefore ordered and adjudged and decreed that the plaintiff have judgment against the defendant for said sum of $[illegible], with interest thereon from said 3d day of June, 1860, together with $[illegible] costs of this action, and an attachment of costs; and the said Cook, as further payment, pay money into Court to await the further order of the Court and to be distributed according to law."

The decree was entered in an action after trial of it upon pleadings and proofs, and a decision thereupon by the Court, that the defendant, should account for the moneys alleged in the complaint to have been received by him; and that he had received them as administrator of the estate of which the plaintiff was also administratrix, and after the report of a referee appointed to take account of the balance of the moneys in defendant's hands which he had thus received, had been made and confirmed, stating such balance to be the sum for which judgment is given. This judgment or order directed, as between the parties, of every item made by the pleadings.

A certified copy of this order or judgment was served upon the defendant personally, on the 26th of June, 1860, with a notice dated Dec. 24, 1860, that it was "a certified copy of a decree made in written, entitled action, on which decree judgment was this day entered."

No demand or request was made of the defendant, that he should pay such money into Court or to the plaintiff, and he has not paid any part of it, and is insolvent, and was so when the judgment was entered.

An attachment was issued against the defendant to answer to an alleged contempt in not having paid the money into Court as directed by the order. He was arrested and has answered interrogatories filed and served upon him, and the interrogatories, answers and affidavits on which the attachment issued, show the facts to be as above stated.

Held, 1st, That the decision of the 12th December, 1860, is a judgment. It is the final determination of the rights of the parties in this action. (Code 245.) No questions between them are reserved for further consideration, or are open. The plaintiff in this is an order, because it requires the defendant to pay the moneys into Court to await the further order of the Court, and to be distributed according to law. The decision made allows the defendant his commissions on the moneys received, and has no right in reference to the moneys to be paid, nor any duty to perform except to pay the amount for which judgment is ordered. There is nothing in the allegation of proceedings and examining the matter of fact in these moneys, which can produce a subject of litigation between these parties. The judgment remains in force and unreversed. It therefore, cannot be the judgment within the meaning of the Code.

It directs the payment of money, and only that, and prescribes the manner, the mode of enforcement. Although a judgment may require the performance of acts specified in it, yet, if it also requires the payment of money, it may be enforced as the respect by execution, (section 283 in contest. But that judgment requires nothing further than the payment of money, if the execution can issue to collect it, that is the only proceeding that can be issued; so is the first business to compel payment.

Proceedings cannot be had under 2 R. S., (p. 454, sec. 1, sub. 3, because that, in terms, extends all cases where by law execution can be awarded for the collection of the sum ordered to be paid. It extends to them, because this remedy of the payment of that sum of money ordered by such Court, is "substantial only" in cases where by law execution can not be awarded for the collection of such sum. No authority for this proceeding is found in section 4 (sec. 4, 50.) for that applies only to a "rule or order of Court."

Another fatal objection is that no demand has been made of the defendant to pay the money to the plaintiff or into Court. Under section 4 (2 R. S., p. 450, 3 Ed.,) and section 285 of the Code, there must have been a refusal to comply with the order to justify a commitment for a contempt. (Lathrop, Sessions, 9 Paige, R. 449.)

The judgment was entered on the 12th of December, 1860, and a copy of it was served on the 26th of June, 1860, with a notice that it was a certified copy of a decree entered on the 24th of December, 1860. No other notice nor any demand accompanied the service, and no demand of payment has been made.

The decree having been served, and not having been performed, there has been a neglect to obey it, but it cannot be said that there has been a refusal to obey it, when performance of its requirements has not been requested.

The necessary conclusion from these views is that the defendant is not guilty of the misconduct alleged against him, and that he should be discharged in good faith, but under erroneous views of his rights.

Nothing was said on the question of costs, as to which the parties may be heard on the settlement of the order to be entered.

P. C. Galpin for plaintiff; B. C. Thayer for defendant.

Result of the Seduction Case—The Jury Disagree.

SUPERIOR COURT—TRIAL TERM.

Before Justice Sutherland.

Hiciseman Schwartz vs. *Louis Abraham.*—This case was stated in the TIMES of Friday. The plaintiff sued to recover for the seduction of his daughter, and to reimburse himself for the money expended in nursing, &c., during the daughter's pregnancy.

The defence was that the defendant denied "each and every allegation" of the complaint.

The trial now resulted in the disagreeing of the jury.

Decisions.

SUPREME COURT—CHAMBERS.

Before Justice Sutherland.

Frost vs. *Quackenbush, et al.*—Report confirmed. Order to be settled on one day's notice.

Meier vs. *Burckel et al.*—Motion denied, with $10 costs, to abide the event of the action.

Morse et al. vs. *Libby et al.*—Joshua T. Bridge, appellant, respondent, by consent of parties, bonds in penalty of $10,000.

McCoy vs. *Estate et al.*—Referred to F. T. Ruggles, Esq., to ascertain facts, and report with opinion.

Kelly, Sheriff, vs. *The United States Trust Co., &c.*—Motion granted. Order to be settled on one day's notice.

Rankin vs. *Smith, &c.*—Motion granted.

Ryder vs. *Hayward.*—Order vacated, with $10 costs, to abide the event of the action.

Adolphus vs. *Adolphus.*—Motion for reargument denied, without costs.

Shaw vs. *Darling et al.*—Report confirmed, and judgment of sale ordered.

SUPERIOR COURT—SPECIAL TERM.

Before Justice Sutherland.

Woods vs. *De Figaniere.*—A person sued as President of a Joint Stock Association may be compelled to testify before the trial the same as any other party. Motion granted.

Peterson vs. *The Chemical Bank.*—Motion to strike out parts of the answer granted, with $7 costs. Defendants may amend in ten days, on payment of such costs.

MONETARY AFFAIRS.

Sales at the Stock Exchange.....Feb. 2, 1862.

$1,000 U. S. 6s, '81, Reg.	99½	100 Camb. Coal Pref.	39
2,000 do	99½	100 do	39½
2,000 do	99½	100 do	39½
1,000 U. S. 5s, Coup.	94	100 Dunlap do	24½
5,000 do	94½	100 Quicksilver M. Co.	30
7,000 U. S. 5s, '74, Reg.	95½	50 Pac. Mail Stm. Co.	107
7,000 Treas. 7 3-10 B'ds	99	50 do	107
Notes	101½	100 do	107
1,000 do	101½	100 do	107
10,000 do	101½	100 do	107
10,000 U. S. 6s, 1-20 C.	95	100 do	107
20,000 do	94½	100 N. Y. Cen. R.	115½
15,000 U. S. D. N's	104½	100 Erie Railway	74
1,000 Mo. 6s, Long	76½	100 do	74½
4,000 Ky. State 6s	101	200 do	74
5,000 Tenn. 6s, 6s '90	62½	100 do	73½
10,000 do	62½	100 Erie Railway Pref.	34½
15,000 do	62½	100 do	34½
5,000 do	62½	100 Hudson Riv. R.	60
5,000 do	62½	100 do	60½
10,000 do	62½	200 do	60½
5,000 do	62½	100 Harlem R.	22½
5,000 do	62½	100 do	22½
5,000 do	62½	100 do	22½
5,000 N. Y. C. 6s	100½	100 do	22½
2,000 Erie 1st M. bds	77	100 Mich. Cen. R.	60
12,000 Erie 2d M. bds	55	100 do	60½
1,000 A. & T. H. 2d m.	94	100 do	60½
1,000 Hud. R. 1st m.	112	100 Harlem R. Pref.	35
1,000 do	112	100 do	35½
1,000 Mich. S. & N. I. 1st m.	87½	100 do	35½
1,000 do	87½	100 do	35½
1,000 do	87½	100 do	35½
1,000 do

The New-York Times.

NEW-YORK, TUESDAY, FEB. 3, 1863.

AMUSEMENTS THIS EVENING.

BROOKLYN ACADEMY OF MUSIC—Rehearsal.

WINTER GARDEN—The Advocate's Last Cause—Old Tunes of Haydn—The Farmer Boy.

LAURA KEENE'S THEATER—The Fee of the Freemason—Sudden Thoughts.

WALLACK'S—Central Park.

BARNUM'S MUSEUM—Miss Lavinia Warren, the Queen of Beauty, Cos. Nutt, &c., at all hours—Theresa's Vow; or, The Cross of Gold, morning, afternoon and evening.

BUTLER'S GARDEN—Lear, the Forsaken.

STUYVESANT INSTITUTE—(No. 659 Broadway) Burdett's Reminiscences.

NEW HALL OF ART, No. 663 Broadway—Bayard's Panorama of the Mississippi and the War.

CLINTON HALL, (Astor Place)—Psychological Lecture and Experiments.

THEATRE FRANÇAIS (Niblo's Concert Saloon.)—Rentre la Mitraillade—La Cour du Faubourg—Les Pommes de L'Amour.

NEWS OF THE DAY.

THE REBELLION.

The Richmond *Dispatch* of the 29th ult. announces that on the 27th the Ericsson Monitor *Montauk* attacked Fort McAllister, at the mouth of the Ogeechee River, but was compelled to haul off, owing to some injury to her turret, though the solid shot fired by the rebels were broken to pieces against her armor. It is possible that a temporary disarrangement of her turret machinery has caused the *Montauk* to haul off, though we consider it prudent to wait for our own reports of her operations before placing reliance upon the rebel report.

The truth in regard to the *Montauk* has reached us even sooner than we expected. It appears that Lieut. Worden took her under the Ogeechee River batteries to test her, and allowed her to remain under their fire *four hours*. The rebel shot had no more effect upon her than so many bullstones. Doubt is also thrown upon the rebel story of the capture of a gunboat in the Stono River.

Rebel reports from Vicksburgh say that appearances indicate an early renewal of the fight there. They think the strength of the National army will be 80,000 men. The intention in digging the cut-off is, to float the transports through and land troops below.

Another very important capture has been made by our blockaders off Charleston. We find the news in the Richmond *Whig* of Saturday last. The vessel captured is the British steam propeller *Princess Royal*, mentioned some time ago as having left Halifax for Bermuda with the intention of running the blockade. On Thursday morning last, before daylight, she attempted to run into Charleston harbor, but suddenly found herself surrounded by our gunboats, and ran ashore on Long Island Beach, where she was secured. Her cargo is a most valuable one, consisting of Whitworth guns, steam engines for gunboats, rifles, powder, &c. A party of English workmen, skilled in the manufacture of projectiles, was also secured.

It is stated that an interview took place the other day between Jeff. Davis and Gov. Vance, of North Carolina, in which the latter insisted upon the reserve and recall of an adequate force for the protection of the State from any further National advance—North Carolina having now 30,000 troops in the rebel service.

For the first time since the late Morgan raid, trains over the Louisville and Nashville Railroad, from both terminii of the road, ran to the trestle-work at Muldrow's Hill, on Jan. 29, thus avoiding the delay and annoyance of the transfer from Colesburgh to Elizabethtown. The trestle-work will soon be repaired, and trains will then run through without detention.

CONGRESS.

In the Senate, yesterday, a communication was received from the President of the Smithsonian Institute, stating that George E. Badger, a member of the Board of Regents, is in the rebel army, and ought no longer to remain a member. A petition from Madison Y. Johnson was presented by Mr. Richardson, of Illinois, who stated that the petitioner had been arrested, imprisoned and released, without explanation or cause. In the course of discussion, Mr. Richardson admitted that Johnson had refused to take the oath of allegiance—whereupon the petition was laid on the table, 20 to 16. The bill to aid the State of Missouri in emancipation was reported back from the Judiciary Committee. A resolution was adopted inquiring of the Paymaster-General what payments were made up the 31st of August, 1862. The Executive, Legislative and Judicial Appropriation bill was passed, with an amendment appropriating $30,000 for experiments in preparing hemp and flax as substitutes for cotton. An appropriation of $80,000 was made for the Agricultural Department. The Senate then adjourned.

In the House, the Senate's amendments to the Army Appropriation bill were concurred in, with the exception of the one appropriating $5,000 for the survey of the Minnesota and Red River of the North. Consideration of the Negro Soldier bill was resumed. At the close of a long debate the previous question was moved by Mr. Stevens, of Pennsylvania, and seconded, and the main question was ordered. Mr. Mallory's motion to refer the bill to the Military Committee was negatived, 82 to 54. Mr. Richmond's amendment, authorizing the President to raise three hundred regiments, was also rejected. The bill, as proposed by Mr. Stevens, of Pennsylvania, was finally passed—86 to 55, and the House adjourned.

THE STATE LEGISLATURE.

Both houses were in session a short time last evening, but did nothing of importance.

The Union Legislative Caucus met yesterday, and nominated Ex-Gov. E. D. Morgan as candidate for United States Senator. The Democratic Caucus passed a resolution declaring it inexpedient to make a nomination. Mr. Morgan's election is considered a certainty.

GENERAL NEWS.

The steamship Ocean Queen arrived at this port last night, from Aspinwall, which port she left on the 25th ult., under convoy of the gunboat Connecticut. She brought but about $300,000 in treasure. The news by this arrival is of no particular importance. Everything on the Isthmus is quiet; nothing later from the interior. An arrived Table New-Zealand brings the most wonderful stories regarding the productiveness of the gold mines there. It is alleged that the mines exceed in extent and richness those of Australia and California together. Living and transportation, however, are very dear.

The Board of Aldermen met at 1 o'clock P. M. yesterday. The Printing Committee were directed to report some plan of retrenchment in the expense for Corporation advertising. The Special Committee on Lands belonging to the City, and claimed by the State, of which Mr. Harney is Chairman, made an able report on the subject of acquiring undisputed title to these lands, and presented a resolution to authorize the Corporation Counsel to memorialize the Legislature to perfect the City claim to them, which was adopted. A lengthy communication from Comptroller Brennan, declining to put in operation the Change-note ordinance, for numerous reasons—mainly that to do so would be to violate State law—and refusing to consummate the purchase of the Fort Gansevoort property, because the parties claiming to hold it have not a good title to it, was laid over, and may be found entire in the official proceedings. Mr. Boole said the first measure was designed as a matter of public accommodation, and it would be self-paying, from lost and defaced notes; and as to the other measure, he did not think Mr. Brennan was a better lawyer than some other gentlemen in the City. The Committee to procure the body of Adjutant Chas. Lafy promised a full report on the cause of the failure of their mission at the next meeting of the Board. Adjourned till 1 o'clock P. M. on next Monday.

The Board of Councilmen met at 3 P. M. yesterday. The annual report of the Cooper Union for 1862 was presented. It shows the receipts from all sources during that time (including a balance of $937 55 from the previous year) amounted to $19,453 83, and the expenditures to $19,276 66—leaving a balance of $177 33 on hand at the close of the year. A petition from a United States Inspector and Gauger, under the Internal Revenue act, for an ordinance prohibiting non-resident Inspectors from plying their vocation in this City—he having been prevented, in Jersey City, from making an inspection of oil, by virtue of a municipal enactment—was presented by Mr. Wheeler, and referred. The Board adjourned till 4 P. M. on Monday next.

There is reliable information that a general Indian war is in contemplation in the Northwest on the opening of Spring. The intelligence comes directly from Fort Pierre and the different Indian rendezvous on the Red River of the North, Platte and Upper Missouri.

The Joint Committee of the Minnesota Legislature appointed to consider the disposition which shall be made of the Indian tribes in that State, have reported, recommending their immediate removal.

A large and enthusiastic meeting was held in St. Louis on Thursday night last to ratify the President's Emancipation Proclamation. Strong speeches in its defence were made by Messrs. Blow, Drake, Johnson, Benoist, and others.

A case of considerable interest to lawyers and others, in respect to the enforcement of a decree for the payment of money only, has just been decided by Mr. Justice Bosworth, at Special Term of the Superior Court. A full report of it will be found in the Law column.

The market on the Stock Exchange yesterday was lower on Gold Coin by 2@2½ per cent., on Railway Shares 2@3 per cent., and left off steady at the prices, but without speculative buoyancy. Gold 156¾; Erie Shares 71¾.

Breadstuffs were less active yesterday; Flour and Wheat, in the main, were steady; Corn was again dearer. Cotton was quiet. Groceries were in fair request. A lively business was reported in the principal kinds of Provisions at full rates. Fish, Oils, Tallow and Spirits Turpentine were more sought after, the latter article at decidedly higher figures. Whisky again advanced, but was less freely purchased. Light freight engagements more affected.

The Cattle Trade is quite animated this week. About 3,100 bullocks were on sale at Forty-fourth-street, which, considering the small number one week ago, was a light supply, and nearly all were sold before night. Prices ranged about as last week. They would have sold higher but for expectant trains with cattle numbering from 500 to 800 head, most of which will probably be on sale to-day. Good fat steers brought 10c. ⅌ lb., net weight, and fair retailing beef could not be had for less than 9c. The best cattle were rather higher than one week ago, but poor droves sold no better—drovers thought hardly as well. Sheep are scarce and very high.

The Movements for Peace—Their Abjectness and Futility.

Foiled in New-Jersey, they are doing their best to get the Illinois Legislature to lead off with the armistice resolutions. With prospect of good success, it is said. We doubt it. Unseemly, there is no creeping thing of a more creeping nature than an Egyptian Copperhead; still it has something of what Burke calls "a reptile prudence." It has but recently sloughed off its old Democratic skin, and is tender yet. For a while longer it will simply lie quiet, and spit venom. In due time, perhaps before the snow melts, it will boldly show itself in broad daylight on the high road to Dixie—secesh not only in hidden sting and fang, but secesh so that the wayfaring man, though a fool, can see it in every scale. There is no reptile work it will not then be ready for.

We confess that so far as the leaders of the Anti-Administration party are concerned, we regard an abandonment to complete abjectness everywhere as but a mere question of time. Always sooner or later "the worm will do his kind." Prevarication and fraud are essentially servile vices; and the extent to which they were practiced in the recent elections only opened the way for any extent of servility thereafter. It may as well be taken for granted at once, that there is no meanness of spirit which will not soon be developed. The purpose is to have peace at any price, sooner than fail in with the Anti-Slavery policy which has been adopted by the Government, as an indispensable element of the war. These leaders are pervaded to the very marrow with the feeling that the chief end of man—Americans especially—is to serve "the peculiar institution," and glorify it forever. The devil-worshipers of the South Sea Islands never prostrate themselves lower, or do viler things, to propitiate *anger and secure favor, than these men* are capable of, as votaries of Slavery. There is no degradation which they will not consent to, no sacrifice they will not make, to enjoy again their old relations. There will be manifestations of this spirit before the war closes, of which the people now have little conception.

It is, perhaps, fortunate that Jeff. Davis and the few men who control the Confederacy have discernment enough to see clearly that nothing but contamination can come to them and their cause from the approaches of these suppliant renegades. Their whole bearing shows that they understand perfectly that the strife between them and the old Government has long ago gone beyond the stage of compromise, and that it must be fought out to its logical and irreversible end—either an independent slaveholding Confederacy, or the destruction of the institution which alone makes a Confederacy worth having. They are not such idiots as not to know that it is morally impossible, after what has occurred, for Slavery to return to a safe position in the Union—that it has committed the parricidal crime which, until human nature changes, can no more be forgiven than forgotten. Even were it possible for the majority of the North, in a desperate extremity, to offer it a full amnesty for the past and new privileges for the future, no guarantee could be given that would be worth the paper it was written on. Probably the next year would see it undone; surely the next generation. It is beyond mortal power to turn back, but for the briefest period, the great stream of events. In spite of everything historical sequitoch will ever assert themselves. Reputations are proverbially short-lived.

The rebel leaders knew perfectly well what they were risking when they drew the sword for Slavery. They deliberately adopted the old device, "*Aut Cæsar, aut nihil*"—either sovereignty or annihilation. If they ever secure independence, they believe that Slavery will reign down to the Gulf as long as the world stands. The *divine right* of the institution is the first article of their faith. They hold implicitly that it is divinely ordained, and a *permanent* part of their social system. It was in obedience to this idea that they undertook revolution; and from the beginning until now, it is that alone which has nerved them. Had they been willing to yield it, they might, in all probability, have secured their independence ere this. England and France both, there is every reason to believe, would have long ago gladly acknowledged and aided with their independence, if they would have agreed to any plan for the gradual extinction of Slavery. They would listen to no such proposition, and for the simple reason that the very purpose of the Confederacy is to perpetuate not only the existence but the absolute dominion of Slavery. The essential justification of President Lincoln's *war policy* against Slavery in the rebel States is, that by destroying the institution he destroys the motive of the rebellion; and the same is the only justification of his *purchase policy* toward Slavery in the semi-loyal Border States. The rebel Government had a clear idea of what it was fighting for long before our own rulers. It has steadily and earnestly, through ill fortune as through good fortune, held fast to this idea; and it is in devotion to it that they repel with such utter scorn the brainless creatures of the North who sue them for compromise.

We have never borrowed any concern that these attempts to bribe the rebels back by concession would gain any serious chance. If nothing else should prevent, we are sure that the conscious necessities and inflexible purpose of the rebels would. But yet it is not easy to take with composure such a stain upon Northern manhood as these recreants are bringing upon it. Their doings are everywhere notorious, throughout both the South and Europe. The stir they make is, as everybody knows, here, out of all proportion with their real power, and it is not at all strange that they are taken as the real exponents of a new Northern spirit. The consequence is that we are fast losing all the repute for courage and constancy which we so worthily gained last year and the year before—that even our best friends abroad are beginning to disarrage us; and, what, in worse, our rebel enemies are learning to despise us, and becoming more assured than ever that they are the superior race, and bound to triumph over us completely.

But these scandals must go on. No legal appliance, or governmental authority, can or ought to reach them. Public opinion, at best, cannot altogether prevent them. Yet it ought to be more awake to their true character. The men who thus degrade our sacred cause ought to be as profoundly detested as traitors themselves. Their spirit is essentially traitorous; and so would their work be, if carried out, for it would end in giving up everything to the rebellion. If the people mean to sustain their Government—and we know they do—they should count every man a public enemy who now utters the word compromise or peace; both alike, in this juncture, abject, and both alike futile.

Mexican Affairs in Europe.

The European invasion of Mexico may be said to have reached its second phase. In its first phase we saw the falling to pieces of the cumbersome, complicated tripartite coalition the moment its expeditionary forces touched the Mexican shores. Criminations and recriminations between the three invading Powers followed, and the Quixotic attempt of the French to stand in the breach and redress the grievances of all creation in Mexico—as they pretended—failed. With the defeat of the French before Puebla, in May last, every vestige of the tripartite coalition between England, France and Spain disappeared.

Commencing anew, alone, under different circumstances, and doubtless with other views and a changed policy, the Emperor Napoleon started another expedition to Mexico, of a magnitude which, doubtless, he and his advisers believed would command success beyond all peradventure.

Thus the matter stands at this moment to the French view, and this is what we term the second phase of the European invasion of Mexico. The ill-feeling engendered by the tripartite coalition and its ignominious failure has never ceased to rankle among the three Powers interested. France was vehement in charging perfidy on the part of England when she withdrew her troops from Mexico, and Spain has never failed to feel indignant at the small account made of her interests and wishes, both by England and France, throughout the whole matter.

The Spanish General Prim, in withdrawing from the coalition, and embarking from Mexico with his forces, placed himself in a direct antagonistical position to Louis Napoleon. Gen. Prim is the idol of the democratic, liberal, progressive party in Spain. He represents in his own country the same elements which, to a great extent, raised the Emperor Napoleon to power in France. No sooner had the Spanish General landed in Mexico and learned the true state of affairs, than he came to the conclusion that the tripartite coalition had no justifiable basis, and the expedition no chance of success. Braving, therefore, the wrath of England and France, knowing he would lose the friendship of the French Emperor, and that he would be denounced by a party in his own country, Gen. Prim withdrew the Spanish contingent from Mexico, openly and boldly condemning the attempt on Mexican independence; and so wise, honest and bold was his course since proved, that in all matters appertaining to the invasion of Mexico, he stands head and shoulders above any other European statesman.

We are beginning to have evidence that the so-called *entente cordiale* between England and France is a sham. That no good feeling exists between France and Spain is also plain. The unsatisfactory state of affairs between the latter Powers appears to grow wholly out of the Mexican business. Spain, to propitiate the Emperor, must go against her interests and put down the Conde de Reus and his party, or, in sustaining what is really her true policy and the representative of a great and growing party, she must mortally offend the French Emperor and incur the danger of angry demonstrations on his part.

Taking that which we see on the surface of European politics as an index of that which is transpiring beneath the surface and beyond the reach of the public eye, we are constrained to believe that the French Emperor has been forced to put forth his recent extraordinary letter on American affairs by the pressure of European influences immediately around him—influences which he may have once controlled, but to which he must now be answerable. In coming out openly and audaciously in the declaration that a limit must be placed to the extension of the great Northern Power on this continent, Louis Napoleon makes a bold bid, a great struggle, a gigantic effort, for the favor of the European Governments in general, but more especially of those of England and Spain. We regard this letter of the Emperor as the most significant indication of the true condition of affairs in Europe that has recently appeared. The document goes far to prove that with the Emperor the Mexican affair—bellicle it as he may—really overshadows every thing else; and it is not difficult to foresee that when the news of the disaster to French arms in Mexico is received in France, the prestige and stability of Napoleon's power will in no way be increased. When he joined the coalition against Mexico, he commenced a career entirely opposed to the Napoleonic ideas—that conflicted with the very elements that carried him into power, and by which he has been sustained. At that moment an organized opposition to the rule of Louis Napoleon commenced in France, and it has been gathering strength ever since. Under this pressure, in part, the French Emperor has been driven to declare what he supposes will be a "taking" policy in Europe for this country and continent—a policy that he never dreamed of when our difficulties commenced, or when he first sent his forces to Mexico. We publish this morning an important letter from our Paris correspondent, which goes far to explain the condition and the position in which the Emperor finds himself. The French army officers may feel, somewhat, the vanity of their boast that 100,000 French soldiers can land on our shores and march straight through the country, when they receive the late news from Mexico.

We have touched on the foregoing points with reference to the bearing they have upon our own welfare. Seriously, we do not believe the great mass of the French people will sustain the policy their Emperor has marked out for this country and Mexico. It is against their traditional policy and their interest. The policy of the French Emperor, if carried out, is as sure to lead to general war, as that the sun will rise and set to-morrow. We do not believe the French people have any heart in the Mexican expedition, as it is certain they do not desire war with the American people. Furthermore, we do not believe in the power of the Emperor Napoleon with all France to back him, to carry out any one of his schemes relative to this continent.

Treason South and North.

Gen. Hamilton, in his recent speech at New-Orleans, said that he had warned the leaders of the rebellion in advance, of the danger of their course; telling them that though they had the reins of power, and could use that power to raise rebellion, yet, deep in the hearts of men were influences which would be too strong for them; and, though they might sow the wind, yet, if they did, they would reap the whirlwind harvest which has been promised from time immemorial.

The words were spoken in vain. The rebel leaders were blinded by their own ambition; they were not satisfied with the power which they had enjoyed, because it had been coupled with the condition that they should lay it down when the voice of the nation called upon them to do so; they determined to violate that condition, and to hold by force and fraud that which they could no longer hold otherwise. And they were so terribly misled by the demons to whose service they had sold themselves, that they believed they could carry out their design without a struggle. They had deceived the people among whom they lived, and led them so far astray from the course which the fathers had marked out, that they had turned their backs upon the old lighthouse of freedom set up to guide us in our way over the unknown future, and were following instead only the baleful gleam of Slavery. Having met with such success in thus misleading their own followers, they thought that the free people of the North, who still kept those ancient beacons in view, and were striving amid many difficulties and discouragements to bring their political and social life nearer to the ancient ideals, would, at a word or a threat from them, abandon it all. And so they went on and sowed the wind broadcast, and to their horror the promised harvest has grown up before their eyes, devastating and blasting.

There are those in the North who are, also, with assiduity, sowing the wind. They are the men who begin to talk of peace on other terms than the overthrow of the rebellion. Their action takes multiform shapes. Now they berate the Administration and draw odious comparisons between it and that of the rebels. Now they rail at our Generals and now find fault with the military measures adopted. They magnify every disaster to our arms, and depreciate every success. They do all in their power to increase the financial difficulties of the nation, and gleefully look forward to the time when gold shall be at two hundred. They are, to a man, opposed to anything which shall "injure Slavery. They favor anything and everything which shall save the rebels from damage; and an officer who is insufficient or disobedient, especially if he is willfully guilty, is sure of their approbation and defence. Their whole speech is a blast and mildew; they radiate an influence on every hand, chilling to all hope, to loyalty, like icebergs off the coast, which fill our air with bewildering fogs and benumbing chat winds.

These men are sowing the wind. There is no salvation for our institutions but in the overthrow of this rebellion. The principle that the majority shall rule is our corner-stone. It is against that that the efforts of the rebels are mainly directed, and our only salvation is in shewing to every man, both among ourselves and throughout the world, that whosoever dashes against that stone shall himself be ground to powder. Let the rebels succeed in resisting the application of that great fundamental principle, and we have admitted a destructive element into our political edifice which will inevitably one day bring it down a crumbling mass of ruins. And by as much as the characteristics of our people, working in concord, have wrought out for us such magnificent growth and progress, by just so much will they, if once the discordant elements are allowed to have sway, work out on this continent a carnival of confusion, of terror and of ruin. We repeat to the peace Secessionists of the North Gen. Hamilton's warning: You may succeed in sowing the wind, be sure that you shall reap the whirlwind. And he also forewarned that when the whirlwind rages you will not escape its destructive sweep.

Extortion in Dixie.—There is a bill designated the "Extortion Bill" now before the Virginia Legislature, in session in Richmond, the object of which is to limit and define the profits of merchants, traders and dealers generally. The fifth section provides that all articles must be sold at prices not exceeding 200 per cent. over the prices of May, 1861; and one of the speakers, in an elaborate argument upon the bill, submitted a schedule showing the benefit which would be derived from the establishment of this rate, and how vastly present prices would be lessened. The same number of the Richmond paper which contains this debate, has an advertisement in an adjoining column, headed, "No Extortion—Superior black tea at $8 per pound." This would seem to indicate the truth of the speaker's remarks, just quoted, that the enforcement of the provisions of the Extortion bill would vastly reduce prices. If eight dollars a pound for tea is the "no extortion" prices, how much must the extortioners charge? Probably double that, or a dollar an ounce. If the Extortion bill becomes law, however, and the price of tea be reduced to say three dollars a pound, and other imported articles in proportion, we fear that the motive which induces our English relatives to make such desperate efforts to run the blockade with their cargoes, will be taken away.

Lessons of the War.—Texas Wigfall delivered a speech in the rebel Congress last Wednesday, upon a bill organizing a Supreme Court for the Confederacy. Of course, Wigfall was slightly excited, rather angry, somewhat personal and defiant in his remarks. He "did not choose to be put in a false position; he intended that he should be understood by the Senator from Georgia; he was bound by oath not to stultify himself; and he was opposed to the provisions of the measure." One of his objections to the bill, however, was rather curious. He thought it contained a principle that would lead to a breaking up of the Confederacy, and on this point made the following singularly sensible remark:

"I am not here going to move the mode for another dissolution of this Union. We should profit by the experience of the past. We are stupid people in this account if we cannot turn to advantage the severe lessons of experience."

We are glad to know that Wigfall has begun to learn by the severe teachings of experience, the evils of a disruption of the Union. If the lesson has penetrated his whisky-saturated brain, it must have spread pretty wide over the Confederacy. Both South and North will have learned a valuable, though severe lesson, when this war is over.

Discipline in the Rebel Army.—One would think, on looking over the newspapers from different sections of the Confederacy, that the rebel army would get considerably thinned out by the military executions that are continually taking place. Hardly a paper but contains in its local columns accounts of soldiers being shot to death—generally for desertion. There seems to be no sensation over these executions, either among the people or in the newspapers. The facts are quietly chronicled in three or four lines of small type, as minor incidents of the day. The Richmond *Dispatch* of Saturday last, for example, says that, "Another military execution took place yesterday at Camp Lee, near Richmond, the party being John Mullihan, Fifth Virginia Cavalry, convicted of deserting;" and it adds that "Michael Kirnhans and James Brookins, of the Letcher Artillery, will be shot to death with musketry" on Friday of this week for desertion. "The spectacle," coolly adds the *Dispatch*, "is for the sake of the example." It is a dangerous thing to desert from the rebel army, as military law is there relentlessly enforced.

Wendell Phillips and "Our Future."

To-night, at Plymouth Church, Brooklyn, Wendell Phillips will deliver an address on "Our Future." Aside from the interest which all admirers of pure and fascinating oratory have in each and every appearance of New-England's greatest living speaker, an additional attraction will be felt by those who, dissenting from Mr. Phillips' long-time heresy, will yet be curious to hear predictions from one whose past prophecies are so fully accomplished in the events of to-day.

THE NATIONAL FREE BANKING SYSTEM.

A Continuation of the Arguments—Advantages to the Banks—Protection from Inflation, &c., &c.

Washington, D. C., Friday, Jan. 30, 1863.

THE WISDOM OF A NATIONAL FREE BANKING SYSTEM.

It is a mistake to suppose that gentlemen who are directly interested in the management of local bank corporations generally look with disfavor upon Mr. Chase's proposed system of free banking. On the contrary, very many of them—nearly all, indeed, who bring patience, care and a little patriotism to the study of the proposition—give it their hearty and earnest support. Such see that, even conceding the establishment of the new system would in some measure impair the present seeming prosperity of those now owning and conducting local banks, it will have no greater effect in this direction than many another branch of business is subjected to by taxation or other legislative incidents of existing war. A broad and comprehensive view of the whole subject teaches them that the real, substantial, permanent interest of their own banking operations is to be protected and advanced by what at superficial glance appeared to be only a restriction or burden to be endured, perhaps, but nevertheless deplored. This might not be so apparent, if their local institutions could exist in the midst of the pending struggle without liability to any of the business or risks created by the war, and applicable to every other class of business; but, in fact, moneyed men and holders of property, of whatever kind, have more at stake than those who are without means, for they have *property* interests to lose, as well as political misfortune to bear, if the Government is not sustained.

ADVANTAGES OF THE SYSTEM TO SOUNDING BANKS.

Aside from all this there are decided advantages proffered to every now local Banking Association by the measure under discussion, in addition to those mentioned already in this correspondence, whenever they shall have reorganized under its provisions. As depositaries of the Government the new organizations will have the disbursement of large sums, and in that way derive decided advantage, while affording a great convenience to the Treasury. That their currency will pass more readily cannot admit of a doubt, when we consider that it will all have the same basis of sound security—that it will be in effect a *United States* instead of a local currency—that nobody will have occasion to question the solvency of the institution issuing it, and that it is always safe from depreciation in consequence of undue expansion of bank circulation. Thus, the new system restricts Banking Institutions within certain fixed limits as to extent of their paper issues; but that is a feature of which neither the public at large nor any honest and considerate bank manager will complain. It is a restriction in the interest of the people, and of every trustworthy banker as well—for the discredit and distrust growing out of the operations of incautious banks, extend more or less to those whose business is conducted on the sounder principles. Such restriction will be intelligently antagonized only by the very managers of institutions upon whom there is greatest reason that it should be imposed, for it is those having the least solid capital which are most given to expansion of their circulation. The Bank of Commerce in New-York, with a capital of $9,000,000, has now less than $2,000 of circulation; and nearly all the leading banks of your City, comprising a majority of the banking capital of the State, issue comparatively a small amount of their own notes. An examination of bank statistics proves the truth of Mr. Chase's official declaration, that "circulation, commonly, is in the inverse ratio of solvency. Well-founded institutions, of large and solid capital, have, in general, comparatively little circulation; while weak corporations almost invariably seek to sustain themselves by obtaining *from the people the largest possible credit* in this form."

PROTECTION FROM INFLATION AND INSOLVENCY.

Another advantage to the banks is the protection from ultimate ruin which the measure affords, by rendering unnecessary further large issues of legal-tender Treasury notes, and thus averting the tendency to redundancy and depreciation of paper currency. The banks now substitute treasury notes for coin for the redemption of their own paper; and just in proportion as the issue of the former becomes redundant and depreciated, will the bank currency, redeemable in "legal tenders," augment and depreciate also. This is only another mode of stating principles already discussed, or rather a new way of looking at them. Unless the proposed plan of regulating the currency is adopted, Treasury circulation and local bank circulation will each, so to speak, multiply and inflate the other, and both must depreciate and finally fall together. While it is utterly impossible to carry on the war with such a system, it is from that, under it, the banks, by excessive loans and issues, would grow apparently rich upon the country's ruin; but general insolvency and repudiation must speedily bring fearful retribution. The debts due the banks would become worthless, and then it would be seen that their prosperity was a delusion and a snare; their supposed riches as baseless as castles in air. The proposed plan for averting all this evil is not an untried theory; the same principle is incorporated in the banking system of the State of New-York, where the test of experience has vindicated its practicability and usefulness. If the system works well in one State, surely it must work better still when extended to all the States, and established under national sanction, and by authority of the supreme law.

NO INTERFERENCE WITH VESTED RIGHTS.

It is objected sometimes that the tax on local bank circulation, contemplated by the National Free Banking system, will interfere with vested rights derived by charter from the States. All such rights fall to the ground at once, if we are correct in the assumption that Congress alone having the power to coin bills of credit, no State can constitutionally authorize such issues by local institutions. But concede that local bank circulations are not unconstitutional, and therefore illegal—where then do banks acquire their immunity from taxation, in any form which Congress shall, in its wisdom, see fit to impose? Every tax by the Government is levied to sustain and maintain the highest class of vested rights—rights in property, liberty and life. There is no limit to the power of the Government to tax. Every dollar's worth of property in the land is subject to taxation, to just such extent as the National Government finds necessary. Finally, the Government has a first mortgage on every acre of land, every dollar of money and every piece of property in the country; and the title of every citizen to his possessions is irrevocably subject thereto. It is absurd to suppose that State incorporations have any rights superior to these. To assume it is to assert, in new form, the accursed heresy of State Sovereignty lying at the foundation of the slaveholders' rebellion.

SECURITY PROMPTLY OF VALUE BANK CIRCULATION.

No other species of property is so highly sec-

IMPORTANT FROM ALBANY.

Nomination of Ex-Governor Morgan for United States Senator by the Union Caucus.

The Democrats Decline to Make a Nomination.

Special Dispatch to the New-York Times.

ALBANY, Monday, Feb. 2—11 P. M.

The nomination of Ex-Gov. MORGAN by the Union caucus is heartily concurred in, and his election to-morrow is a certainty.

In the Democratic caucus the Richmond and Cagger Regency carried the day against WEED. In the adoption of a resolution to make no nomination. JOHN VAN BUREN, STEVENS, CAGGER and others were present, though otherwise the caucus was secret. There was a great deal of bad feeling, and the seeds of future discord were plentifully sown. The caucus adjourned to meet to-morrow morning.

The Democratic Legislative Caucus.

ALBANY, Monday, Feb. 2.

The Democratic caucus for the nomination of a candidate for United States Senator met the Senate Chamber to-day. Senator PRYER presided. Senator BRADLEY and Assemblyman FERGUSON were appointed Secretaries. Sixty-three members were present. The absentees were Messrs. Murphy and Assemblymen Cutler, Haring, J. S. Havens, Mosher, Gillespie, Kloetzbach and O'Brien. Senator BRADLEY offered the following:

Resolved, That we declare it inexpedient at this time to name a candidate to be supported for United States Senator, but that each Democratic member of the Legislature name for that office a resident of his district.

Messrs. DEAN, FERGUSON and FIELDS opposed the resolution, taking ground in favor of nominating a Democratic candidate, voting for him throughout. Mr. DEAN expressed his willingness to support any conservative man. Mr. FIELDS would not support any supporter of the present Administration, who would uphold the Emancipation Proclamation. Mr. BUCKLEY opposed the resolution, declaring that the Conservative Republicans were as bad in action as the Radicals, and expressing his intention to vote for none but a Democrat. Messrs. JOHNSON, SAYRSON and others spoke in favor of the resolution.

Mr. HUTCHINS moved to lay the resolution on the table. Lost—48 to 16.

Mr. FIELDS declared that the New-York delegation would present one candidate to-morrow.

The resolution was amended so as to read as follows:

Resolved, That we deem it inexpedient at this time to make a candidate to be supported for the office of United States Senator, but that each Democratic member of the Legislature be requested to name for that office such person as he may deem proper.

After further debate the resolution was adopted.

A motion to reconsider was laid on the table. The caucus then adjourned to meet to-morrow morning, at 9 o'clock.

The Union Legislative Caucus.

ALBANY, Monday, Feb. 2.

The Republican members of the Legislature met in caucus in the Assembly Chamber to-day, to nominate a candidate for United States Senator. Senator BARKER presided, and Mr. TREVELLICK, Clerk of the Senate, and Mr. CORNELL, Clerk of the House, acted as Secretaries. Senator BARKER and Assemblyman MARSHALL were appointed Tellers.

The informal ballot stood:

Edwin D. Morgan	29	Henry J. Raymond	6
Preston King	16	Ward Hunt	4
D. S. Dickinson	15	Henry E. Selden	3
C. B. Sedgwick	11	Blank	1
D. D. Field	7		

Whole number of votes 86

Mr. FIELD, of Cayuga, spoke in favor of DAVID DUDLEY FIELD, on the ground that the other candidates had been honored already; that the times required the presence of a bold man in the United States Senate, who was ready and willing to resist violence, and boldly check the inhuman schemes which would originate in Congress. He supported Mr. FIELD for admission because, when it was all excitement here, and when weak-kneed Republicans were trembling at the result of striving a compromise with the infamous Democracy, it was he who came to the rescue, and nerved men to duty in carrying out the organization of the House.

The first formal ballot was then taken, and resulted as follows:

Morgan	29	Raymond	6
King	16	Sedgwick	7
Dickinson	11	Field	5

The second formal ballot resulted as follows:

Morgan	29	Raymond	6
Dickinson	15	Field	5
King	11	Sedgwick	1

Senator YOUNG moved to make the nomination unanimous.

Mr. TOMLINSON desired to say a single word. As Mr. MORGAN had been nominated he would support him, but in doing so, he felt as though he was sitting in disgust over the grave of the Republican Party. Gen. MCCLELLAN did not represent and was not true to the principles of that party. He believed further that that party were contending a mere rebellion against the laws of the United States, and daughtered it last Fall. He should vote for him, however, but do so under protest.

The motion to make the nomination unanimous was carried by all voices except Senator KASSON and some two or three others. Adjourned.

PROCEEDINGS OF THE LEGISLATURE.

SENATE.

ALBANY, Monday, Feb. 2.

Mr. BELL, on behalf of the Committee appointed at the last Legislature, rendered a report on the Assessment law.

Adjourned.

ASSEMBLY.

ALBANY, Monday, Feb. 2.

The Speaker announced the concurrence of the Senate in the joint resolution to enter into joint session for the election of United States Senator.

Messrs. Lentell, Bostwick, Kane, Brown and Fletcher were appointed a Committee on behalf of the Assembly to draft a bill providing a hospital and asylum for wounded New-York Volunteers.

The annual report of the Trustees of the Auburn Asylum was presented.

The use of the Assembly Chamber was granted to the State Medical Society Wednesday evening.

Mr. DEAN moved to make his resolutions upon arbitrary arrests the special order for Monday evening. Carried. Adjourned.

Gen. McClellan in Boston.

BOSTON, Monday, Feb. 2.

The levee or public reception of Gen. MCCLELLAN, at the Tremont House to-day, was a crowded and enthusiastic popular demonstration. Shortly before noon the officers of the army, including many of the wounded, paid their respects to the General in a body. Next the City Government, headed by Mayor LINCOLN, were introduced. In the meantime the hall and reception parlors of the hotel were rapidly being filled, and a crowd of from seven thousand to the thousand people gathered in the vicinity. A strong police force preserved order, and so far as the limited space of the hotel would admit, the crowd were allowed to press through and shake the General's hand. Some ladies managed to enter with the crowd and several wounded soldiers. To the latter, Gen. MCCLELLAN addressed special words of sympathy.

The reception closed at 2 o'clock, but in response to urgent demands from the mass who were unable to enter the building, the General appeared for a few minutes on the portico of the hotel and bowed his thanks. He was enthusiastically cheered.

To-morrow Gen. MCCLELLAN will visit Lawrence. Special invitations from the people of Portland, Me., and Concord, N. H., have been received by the General to visit those cities.

Intermediate.

BROOKLYN ACADEMY OF MUSIC.—The brevity of Mr. GRAU'S New-York season, occasioned by the necessity of transferring his company to Boston in time for Monday next, enables the enterprising manager to give but a single supplemental performance in Brooklyn. This will take place to-night, when an admirably attractive programme will be interpreted by the full force of the company. The performance commences with the whole of VERDI'S "Ernani"—Mme. LORINI sustaining the role of the heroine. After this, an act of "La Traviata," with Mlle. CORSINI, whose remarkable performance of *Violetta* was one of the memorable pleasures of last season. This is surely a sufficient provision for a night's musical entertainment.

ACADEMY OF MUSIC.—Mr. GRAU'S tenor having recovered his voice, the interrupted season of four weeks ago was resumed last evening. The house, we are glad to say, was completely filled, and presented that brilliant and fashionable appearance which can only be witnessed on gala occasions, when the female world is interested in what is going on. Signor BRIGNOLI on his appearance was received with genuine applause, it being pretty generally conceded that a tenor who sacrifices four weeks of a thumping salary, must have been sick in the serious acceptation of the word, and this circumstance warming the audience to a sympathetic outburst in his favor. We are glad to say that the brave remarks of the trouble which had so long deprived the public of the favorite tenor's services. He was in admirable voice, and sang with more feeling and more careful taste than we have had recent occasion to remark in his efforts.

The opera ("Rolla") was given in an exceedingly satisfactory manner by all the artists in the cast. Miss KELLOGG is seen and heard to great advantage in the part of *Lady Harriotte*. The music lies within easy reach of her voice, and the graceful and well-bred ease of her movements reflect the dramatic idea of the country lady bent on a little frolic. It is unfortunately one of the most pleasing parts in the lady's extensive and well-studied *repertoire*. Mlle. MONTAGNE was the *Lady Nancy*, and acted with much spirit, singing also with effect, but with less ease than we shall expect on other repetitions. Of Signor BRIGNOLI it is only necessary to say that he is, with perhaps a single exception, the best *Pinkerton* we have ever had in this City. He was in fine condition last evening. The whole performance, indeed, was completely successful, and elicited repeated bursts of applause from a house which, as we have before remarked, was one of the most crowded and fashionable we have ever seen in Irving-place.

On Wednesday next, VERDI'S "Vespres Siciliennes" will be given, with Mme. LORINI as *Elena*; Signor BAUSSANI as *Arrigo*; Signor ARDITI as *Monfort*, and Signor BOSTICI as *John of Procida*.

A couple of concerts were given at Irving Hall last week, which deserve to be put on record. The first (on Tuesday), by Mrs. J. R. THOMAS, a methodical singer and teacher, who, once a year, meets her friends in this way. The programme was singularly free from mediocrities, being interpreted, and we may add facilitously, by the lady herself and by Messrs. CARTER, (tenor) S. C. CAMPBELL (baritone) and S. B. MILLS (piano). The second entertainment was on Friday evening, for the benefit of the Church of the Mediator, and like all efforts of the kind, was warmly welcome from the admixture of sacred and secular subjects. There was a great deal of volunteer talent, too, which did not add to the cheerfulness of the occasion. Proprietors of music halls should make it a condition that neither children in arms nor amateurs should be admitted—a heavily emphatic penalty would be avoided. The best morceaux were interpreted by artists, namely: Madle. CARLA SCHUMANN, (who sang a sacred song by CARDINAL) and an instrumental piece called "Le Dernier Espoir de Naples," by ALBEZ, which proves conclusively that the Goddess was in no particular hurry to spring from the Turpitin Fount. Miss MARY HAVEIST, (contralto), Mr. Wm. BIANCA, (piano) and Mr. H. AYER, (violinist).

The Philharmonic Society of Boston has presented little TERESA CARRENO with a medal. The poor child did not know what to make of it, having undoubtedly heard that it was the more general practice of Bostonian to present pianists with a (figurative) kick. She was naturally a little alarmed, but writes: "When Mr. DANIELS, the manager of my concerts, told me, shortly after, that the kind gentlemen who played with me presented it 'as a tribute of respect to my genius,' I did know that you all feel kindly toward me, and love me; that is all I hope for, for I do like to be loved and thought well of, and I shall always do my best to please, for my dear papa and mamma have always taught me to be good." Ingenuous prattler, and mild, instructive DAISEKIN! O! 'tis sweet to live with one's parents!

The third Philharmonic Concert, on Saturday evening, attracted to Irving Hall one of the fullest and most fashionable audiences we have ever seen assembled there. Whether it was the merits of the programme, or the fact of there being no other musical entertainment in the City, that occasioned this rush, we shall leave to the Directors to decide, who will, of course, ascribe it to the greatest merits, say the programme. Mr. TERESCHI EMERSON conducted with his usual ability, and was kind enough to play BEETHOVEN'S Symphony (No. 1 in B flat, op. 21) somewhat quicker than usual, by which means it passed off without any serious consequences. Mr. J. R. THOMAS then sang a song, "The Wanderer," by SCHUBERT—and was deservedly applauded, having volunteered at the last moment and acquitting himself commendably. The first part was brought to an end by a superb performance of BEETHOVEN'S Concerto in G, the piano part being interpreted in a vein of grand and massive cantabrity by Mr. S. B. MILLS, who is master of that kind, and, in fact, in all that he does, candidly realizes us that he is one of the few great artists now among us who ought to be heard at a Philharmonic concert. The cadenzas introduced were by the veteran MOSCHELES, and are remarkable for their identity with the spirit of the composer. They were played to absolute perfection by Mr. MILLS, to indeed was the entire piece. The piano on which Mr. MILLS played was one of STEINWAY'S new scale Grands, and it impressed us as being one of the most majestic instruments we have ever heard in the concert-room. Concerts like this, and the one to follow (when CARENO, played with such remarkable effect by the same pianist,) have new significance when interpreted by such simple means. Mr. MILLS played a couple of solos in the second part, and was called out three times. The remaining instrumental features (in addition to another solo by Mr. J. R. THOMAS) were a very clever overture by A. RUBINSTEIN, the Russian composer, and WAGNER'S gorgeous overture to the Tannhauser. The latter was the most enjoyable orchestral morceau on the programme, and was keenly appreciated by the audience.

Obituary.

DEATH OF HORACE VERNET.

By the arrival of the *Australasian*, we learn of the death of Horace Vernet, the eminent French historical painter, who departed this life on the 17th of January, at the ripe age of 74 years. He was born in Paris in 1760, and manifested a taste for painting at an early age. He was a member of a family long celebrated in the annals of art in France. After making some attempts in the classical manner of David, Vernet joined the innovators who were then endeavoring to bring about a more natural style; one which should imitate nature instead of the antique; and since military subjects were then the order of the day, he determined, while gratifying the public taste, to represent real French soldiers instead of the Roman and Apollos who hitherto figured in French uniform. Among his earlier works are the "Taking of the Redoubt," the "Dog of the Regiment," the "Horse of the Trumpeter," the "Hall of French Soldiers," the "Battle of Tolosa," the "Barrier of Clichy," "The Soldier Laborer," the "Soldier of Waterloo," "The "Last Cartridge," and "Death of Poniatowski," which followed each other in rapid succession, and found much more favor with the multitude than with artists of the bas-relief school." In 1819 he painted the "Massacre of the Mamelukes at Cairo," now in the Luxembourg; and about the same time the battles of Jemappes, Valmy, Hanau and Montmirail. In 1822 the entry to the exhibition at the Louvre was refused to M. Vernet's works, on account of their "sadisme" tendency; and the artist accordingly made an exhibition-room of his studio, had a catalogue printed, and presented to the public a numerous collection of military feats, landscapes and portraits. In 1826 he was elected a member of the Institute; and in 1829 was appointed to succeed GIRODET as Director of the Academy at Rome. There he resided for five years, and devoted himself to the study of the Italian school, the result of which was a series of pictures somewhat new in subject and manner of treatment. He abandoned for a while the life of the French soldier and the battles of the revolution, the sacrifices and the epic chapters. During this period he painted "Judith and Holofernes," "Raphael and Michel Angelo at the Vatican," "Combat of Brigands against the Pope's Riflemen," "Confession of the Dying Brigand," and "Pope Leo XII. Carried into St. Peter's." But he afterward returned to his original subjects, and in 1836 produced four battle pieces; "Friedland," "Wagram," "Jena," and "Fontenoy." When Algiers was occupied by the French troops, a whole gallery at Versailles was set apart for the purpose of commemorating their achievements in Africa. This gallery was styled the "Constantine Gallery," from a town of that name in Africa, which had been captured by the French, and the decoration thereof was intrusted to M. Vernet. He produced a great many pictures on subjects connected with the Algerine war, among which may be mentioned the "Taking of the Smala," of Abd-el Kader, said to be the largest canvas in existence. M. Vernet several times attempted biblical subjects, but his efforts in this line added little to his fame. He was one of the most prolific and most popular painters of the day. He also painted a large picture representing the Jubilee of Rome by Gen. Oudinot, in 1849. His only daughter married Paul Delaroche. She was the lady for love of whom poor Leopold Robert destroyed himself.

Mothers!

MOTHERS!!

Are you disturbed at night and broken of your rest by a sick child suffering and crying with the excruciating pain of cutting teeth? Has, go at once and get a bottle of MRS. WINSLOW'S SOOTHING SYRUP. It will relieve the poor little sufferer immediately. Depend upon it; there is no mistake about it. There is not a mother on earth who has ever used it, who will not tell you of its value that it will regulate the bowels, and give rest to the mother and relief and health to the child, operating like magic. It is perfectly safe to use in all cases and pleasant to the taste, and is the prescription of one of the oldest and best female physicians and nurses in the United States. Price 25 cents. Sold everywhere.

Grover & Baker's Sewing Machines have taken the first premium at the State Fairs last fall in New-York, New-Jersey, Ohio, Indiana, Illinois, Michigan, Iowa, Missouri, Kentucky, Tennessee, Virginia, North Carolina, Alabama and California, including every State fair where exhibited in 1859. Office, No. 495 Broadway, New-York.

Coughs, Bronchitis.—The entire freedom from all deleterious ingredients renders BROWN'S BRONCHIAL TROCHES, or Cough and Voice Lozenges, a safe remedy for the most delicate female, or youngest child, and has caused them to be held in the highest esteem by Clergymen, Singers and Public Speakers generally.

The Public are Cautioned Against Buying or selling any of the bogus lye for making soap, &c., now offered under several names by unprincipled dealers—as this Company will prosecute for violation of their patent rights all such, either buyer or seller. The only genuine and patented article is the "SAPONIFIER OR CONCENTRATED LYE," made by this Company, who have just obtained the following decree of the United States Circuit Court for the Western District of Pennsylvania.

Offices: Pennsylvania Salt Manufacturing Company, Pittsburgh—Fifth-st. and Duquesne-way. Philadelphia—No. 127 Walnut-st.

UNITED STATES, CIRCUIT COURT, WESTERN DISTRICT, PENNSYLVANIA, No. 1 of May Term, 1859. IN EQUITY.

The Pennsylvania Salt Manufacturing Company vs. *Thomas C. Chase.*—And now, to wit, this 4th day of November, one thousand eight hundred and fifty-nine. This cause came on for final hearing on bill answer, replication, exhibits and proofs, and the counsel for the parties being heard, thereupon it is ordered, as judged and decreed, that the patent granted to Thomas Chase, on the twenty-first day of October, one thousand eight hundred and fifty-six, and printed on the first day of February, one thousand eight hundred and fifty-nine, is valid, and that the complainant (having said by the agreement in the bill set forth) are vested with the exclusive right thereby granted, as therein claimed, and that the defendant has infringed upon the exclusive rights of the said complainant in said bill set forth, and further, that the profits of the infringement set forth in the schedule annexed in letters patent of the United States granted to said defendant on the ninth day of November, one thousand eight hundred and fifty-eight, and additional improvement patent thereon, dated December 27th, one thousand eight hundred and fifty-eight, is a fraud, and that the complainant (having said by the agreement in the bill set forth) are vested with the exclusive rights of the said complainant in said bill set forth, and further, that the profits of the infringement set forth in the schedule annexed in letters patent of the United States granted to said defendant on the ninth day of November, one thousand eight hundred and fifty-eight, and additional improvement patent thereon, dated December 27th, one thousand eight hundred and fifty-eight, is a fraud, and that the defendant has infringed upon the exclusive rights of the said complainant in said bill set forth.

And it is further adjudged and decreed that the complainant recover of the said defendant the profits and gain made and realized in consequence of the infringements and violations of the exclusive rights of the complainant, together with the cost of suit. And it is further adjudged and decreed, that a writ of perpetual injunction be issued in this cause forthwith, pursuant to the prayer of said bill, enjoining the said defendant, his agents or servants, from any further construction, manufacture, sale or use, in any way or manner whatsoever, of the said invention, and from the manufacture, sale or use of the article manufactured by the defendant under the name of "Pure Concentrated Lye," or of the said article under any other name, and from any other use, in any way of the invention and improvements mentioned and described in the said recited letters patent, granted and reissued to said George Thompson, and set forth in said bill during the term of said letters patent.

(Signed) R. C. GRIER, Circuit Judge.

UNITED STATES OF AMERICA, *Western District of Pennsylvania*, ss.: I, Henry Sproul, Clerk of the Circuit Court of the United States for the Western District of Pennsylvania, do hereby certify that the foregoing is a true copy of the final decree made in the foregoing case.

[SEAL] In testimony whereof I have hereunto my hand and affixed the seal of the said Court, at Pittsburgh, this 5th day of January, A. D., 1859.

(Signed) H. SPROUL, Clerk.

Take Ayer's Pills.

For all the purposes of a purgative for Constipation, Indigestion, Headache and Liver Complaint. By universal accord, they are the best of all purgatives for family use.

Gold Pens—THE BEST AND THE CHEAPEST AT A. MORTON'S, No. 25 MAIDEN-LANE, New-York.

Diseases of the Nervous System, Urinary and Sexual Systems.—New and reliable treatment for relief of the HOWARD ASSOCIATION. Sent by mail in sealed letters, free of charge. Address Dr. J. S. HOUGHTON, No. 2 South 9th-st., Philadelphia.

Wonder and Mirth.—Ladies will be experimented upon, THIS (Tuesday) EVENING, at Clinton Hall, by Prof. BRITTAN'S Psychological Lecture. Vinegar will be changed to rose, to honey, lemonade, &c. No experiments on Wednesday evening. Tickets 25 cents; free for 50 cents.

Corns, Bunions, Inverted Nails, Enlarged Joints, and all Diseases of the Feet cured WITHOUT THE LEAST PAIN or inconvenience, by Dr. ZACHARIE, Surgeon Chiropodist, No. 889 Broadway.

Trusses.—MARSH & CO.'S Radical Cure Truss Office No. 2 Vesey-st., (under Astor House) opposite the church. No connection whatever with any other Truss Office of same name. A female attends ladies.

The Patent Axle and Leg.—B. FRANK PALMER, inventor and patentee, Astor-place, (ground floor) N. Y.; also Philadelphia and Boston. Only houses of Palmer & Co. Avoid imposition by calling on the inventor.

OBITUARY.

BLOOM.—In Fairmount, on Monday, Feb. 2, REBECCA LEVY, infant daughter of Samuel and Emeline Bloom, aged 10 days.

BARSON.—In Cornwall, N. Y., on Saturday, Jan. 31, ELLEN M., wife of Hanford Barton, Esq., and daughter of James Jackson, Esq., of New-York, in the 27th year of her age.

BENNETT.—On Saturday, Jan. 21, SARAH BENNETT, wife of Peter Bridge, aged 55 years, 5 months and 10 days.

The relatives and friends of the family are respectfully invited to attend the funeral, on Tuesday, Feb. 2, at 2 o'clock P. M., at the Dutch Reformed Church, at Fordham.

FRASER.—In this City, on Sunday evening, Feb. 1, THOMAS FRASER, in the 62d year of his age.

The friends of the family are respectfully invited to attend his funeral, on Wednesday, Feb. 4, at 2½ o'clock P. M., from his late residence, No. 70 West 22d-st.

FRENCH.—In this City, on Saturday morning, Jan. 31, Mrs. ELIZA THOMSON, relict of the late John Fenton, of Perth, Scotland, in the 65th year of her age.

The friends and relatives of the family are respectfully requested to attend her funeral, from the 16th-st. Baptist Church, near 6th-av., on Tuesday, Feb. 3, at 1 o'clock P. M., without further invitation.

FOWLER.—In this City, on Monday, Feb. 2, ANN ANDERSON, wife of the late Wm. Fowler, of this City, aged 54 years, 11 months and 11 days.

The relatives and friends of the family are respectfully requested to attend the funeral services, on Wednesday morning, at 10 o'clock, from her late residence, No. 168 East 21st-st.

GREENE.—In this City, on Sunday morning, Feb. 1, of consumption of the lungs, BELMONT TOWNSEND, fourth son Olivia S. and Joseph H. Greene, Jr., aged 3 months and 24 days.

The relatives and friends of the family are invited to attend his funeral, from the residence of his grandmother, Mrs. Oliver Woodruff, No. 161 6th-av., this (Tuesday) afternoon, at 2½ o'clock. The remains will be interred in Trinity Cemetery.

☞ Albany and Providence papers please copy.

JACKSON.—On Monday evening, Feb. 2, after a severe and lingering illness, DINEMAN JACKSON, widow of Peter Jackson, and mother of James L. and Peter H. Jackson, in the 66th year of her age.

Notice of funeral will be given in to-morrow's papers.

KENNY.—In Millington, N. J., on Sunday, Feb. 1, MILLICENT C., wife of Reuben G. Kenny.

Oxford, Ala., Monday, Feb. 2, ELIZA ELEAZ GALLEY, aged 72 years.

Funeral services will be held at the house of her nephew, Mr. James Shaw, No. 39 Vandam-st., this (Tuesday) evening, at 7½ o'clock. The friends of the family are invited to attend, without further invitation. A train will leave Amboy, returning at 8 P. M.

PARKER.—In Perth Amboy, on Sunday, Feb. 1, CATHARINE MARGUS COZZENS, wife of Rev. James Parker, in the 65th year of her age.

The funeral will take place from her residence, on Wednesday, Feb. 4, at 12 M. The relatives and friends are invited to attend, without further invitation. A train from Staten Island Railroad leaves South Ferry, at 9 A. M., for Tottenville, and passengers cross by steam ferryboat to Perth Amboy; returning at 4 P. M.

ROMAINE.—In this City, at her late residence, No. 31 Amity-st., MARY ROMAINE, in her 82d year.

The friends and relatives of the family are respectfully invited to attend her funeral, from St. John's Church, Yonkers, on Wednesday, Feb. 4, at 11 A. M. Train leaves Chambers-st. at 10 A. M. Carriages will be in readiness at the depot.

SAYER.—In Bloomingdale, on Sunday morning, Feb. 1, Mrs. ANN E. SMITH, widow of George H. Smith, in the 64d year of her age.

Funeral services will take place at the residence of her daughter, Mrs. Caroline A. Willis, No. 122 Charles-st., in this City, on Thursday, Feb. 4, at 11 A. M.

SOUTHMAYD.—In Middletown, Conn., on Saturday, Jan. 31, GEORGE SOUTHMAYD, formerly of this City.

TOWNE.—At Freetown, Bristol County, on Sunday, Dec. 25, of consumption of the lungs, JOHN HENRY TOWNE, merchant, son of John Towne, of Cambridgeport, Mass., aged 26 years and 11 months.

WARING.—In this City, on Thursday, Jan. 26, after a short illness, KARENA, beloved wife of Edmund Waring, Esq.

The relatives and friends of the family are respectfully invited to attend her funeral, on Tuesday morning, Feb. 3, at 10½ o'clock, from her residence, in 35th-st., between Avenues A and B, without further invitation. Her remains will be taken to Greenwood Cemetery for interment.

☞ Philadelphia papers please copy.

WHITE.—At Rockford, N. Y., on Friday, Jan. 20, MARIA, wife of James N. Wainwright, formerly of this City, in the 40th year of her age.

WILLIAMS.—In Perth Amboy, on Sunday, Feb. 1, ELIZA S., wife of Wm. O. Williams, aged 35 years.

The friends of the family are respectfully invited to attend her funeral, from her late residence, No. 32 Hamilton-st., on Wednesday, Feb. 4, at 1 o'clock P. M. The remains will be taken to Amboy, Middlesex County, for interment.

WYNKOOP.—In this City, on Monday, Feb. 2, ADELINE ROTH, youngest daughter of Warren W. and Jenny A. Wynkoop, aged 4 years, 4 months and 9 days.

The relatives and friends of the family are invited to attend the funeral, from the residence of her parents, No. 62 Washington-st., on Wednesday, Feb. 4, at 1 o'clock P. M.

☞ Boston and Troy papers please copy.

NEW PUBLICATIONS.

LEVER'S LAST AND BEST.

HARPER & BROTHERS,
Franklin-square, New-York,
PUBLISH THIS DAY:

I.

BARRINGTON.
A NOVEL.
BY CHARLES LEVER,
AUTHOR OF
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II.

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CITY OF MANCHESTER ..... Saturday ..... Feb. 24
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Payable in gold or its equivalent in currency.
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Leave Jamaica for Flushing, 7 A. M., 9 A. M., 12 M., 2 P. M., 4 P. M., 6 P. M., 8 P. M., 10 P. M.
Leave Flushing, 6 A. M., 8 A. M., 10 A. M., 12 M., 2 P. M., 4 P. M., 6 P. M., 8 P. M.
Freight received at Flushing Ferry. Freight for way stations received at Jamaica only.
P. S. ..... Supt.

NEW-YORK AND HARLEM RAILROAD.
NEW-YORK, TRY, NORTH AND WEST.
Winter arrangement, commencing Monday, Nov. 27, 1865.
For Albany ..... Express Mail Train, from Grand Central Depot, Saturday, leave Albany at 10:30 A. M.
Passengers ..... JOHN BURGHILL, Supt.

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Commencing Monday, Nov. 27, 1865, Trains will leave Depot, Jamaica-ave and Fulton-st., Brooklyn, as follows:
FOR GREENPORT, Sundays, 8:00 A. M., 3:30 P. M.
FOR JAMAICA, Sundays, 8:00 A. M., 3:30 P. M.
FOR HUNTINGTON, Sundays, 8:00 A. M., 3:30 P. M.
On Fridays and Saturday nights, at 11 P. M., Lilly train will run through to Greenport, returning Saturday and Monday mornings, at 6:15 A. M., leaving in New-York at 9:30 A. M.
ERIE RAILWAY—PASSENGER TRAINES
7 A. M.—Express, daily, for Dunkirk.
8:45 A. M.—Mail, daily, for Dunkirk.
3:30 P. M.—Accommodation, daily, for Port Jervis.
4:30 P. M.—Way, for Milford, Newburgh, and Way.
6 P. M.—Night Express, daily, for Dunkirk.
Tickets and information at Company's Office, 241 Broadway, and at the Depot, foot of Duane-st.
OMAR MINOT, General Superintendent.

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Express Mail ..... 2:00 A. M. and 2:30 P. M.
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Way ..... 10:30 A. M.
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A. V. SMITH, Superintendent.

RARITAN AND DELAWARE BAY RAILROAD.—On and after Monday, Feb. 1, the new and fast steamer, THOMAS COLLYER, will leave New-York, foot of Barclay-st., at 4 A. M., for Long Branch, Manasquan, Atlantic Highlands, Point Pleasant, Bay Head, Mantoloking, Atlantic Railroad to Camden and other points on line of road; at 4 P. M., for Long Branch, Bay Head, Mantoloking and intermediate stations.

NORTHERN RAILROAD OF NEW-JERSEY.—Trains leave foot of Chambers-st. for Piermont and Nyack at 6:15 A. M. and 4:30 P. M., for Piermont at 12:15 P. M. and 6:30 P. M. on Monday. Old Elm cars run to Piermont.
CHAS. H. DENGLER, Agent.

STEAMBOATS.

FOR NEW-HAVEN, HARTFORD AND SPRINGFIELD.—Steamer Connecticut, leaves Pier 1, North River, foot of Warren-st., at 5 P. M. Passengers go North from New-Haven at 8 o'clock P. M., or smooth as soon over night's shoot charge.

DENTISTRY.

DR. GRIFFIN, 824 GRAND-ST., N. Y. OPPOSITE Lee's Brewery, and 281 Fulton-st., Brooklyn, are inserting Teeth on Patent Gum of their manufacture. Artificial Teeth, with or without extracting the roots; full sets on gold or coronal, $20; on silver or rubber, $10; extracting, 50c.

REAL ESTATE FOR SALE.

$1,600—BROOKLYN CASH, FREE CLEARANCE for two cottages on 4th ward, 2 years. If desired will buy the property, rent free. Inc. 20. Reserve, near Court.

TWO NEW HOUSES, 20 FEET WIDE, EACH 2 stories and basement, with all modern improvements; price, $3,000; terms easy. Inquire of S. SPRAGUE, on the premises, No. 1 Hall-st., near Myrtle-av., between 2d and 3d ave. Houses now; excellent neighborhood.

FOR SALE IN MOUNT VERNON—TWO and a half story, 10 rooms, on corner of Sidney and 4th-st.; house in well finished condition, with necessary out-buildings; lot, 100 by 100 feet; various kinds of fruit and strawberry. Reserve on the premises. Terms easy; price, $3,000.

TWO COTTAGE HOUSES IN WILLIAMSBURGH—On Wythe-av., between Lorimer and Leonard sts., 2 story, 20 feet by 40; rooms easy. Apply to F. A. BERG, 146 Grand-st., Williamsburgh, or No. 8 Sackett-st., to J. W. WESTON.

FOR SALE CHEAP—A TWO AND A-HALF story house, 20 feet wide, with water, gas, &c., within two blocks of City Hall, Brooklyn. Lot adjoining, with stable, number, &c., adjoining desirable. E. A. SPAFARD, Schultz's Inn Co., NO. 18 WALL-ST.

FOR SALE.—IN 3RD-ST., BETWEEN 2D AND 3D-Ave., a new brown stone tenement. Price $8,000. One in 3d-st., 2d-ave., 4 stories, brownstone, good neighborhood; all modern improvements. Inquire on premises of the owner, 182 East 3d-st.

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FOR SALE—A FINE PROPERTY ON CLINTON-Ave., Brooklyn, new house, stable and garden. Address LEWIS SHEAR, No. 61 Wall-st.

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DRUG STORE WANTED—IN EXCHANGE for down lots, at Port Harlem, N. J., or Hackensack, L. I., both well located near Brooklyn and Boston; will trade for hotel. Address H. A. B., Patterson's Hotel, Connecticut-st., N. Y.

COUNTRY RESIDENCES.

A NEW HOUSE, CONTAINING 10 ROOMS, WITH 2 acres of land, in the village of ..... on a hill, only half mile from the landing; a commodious house of 11 rooms; the grounds well stocked with fruit trees; a bee house, with a choice variety of small fruits. Apply to WM. DE ELVIN, No. 163 Greenwich-av., or J. T. TYLER, No. 1 Cedar-st.

FOR SALE—THREE SMALL BROWN-STONE front houses and lots; houses three story, basement and water-closet, with all modern improvements; price, $6,000; terms easy. Inquire of S. SPRAGUE, on the premises, No. 1 Hall-st., near Myrtle-av., between 2d and 3d ave. Houses now; excellent neighborhood.

FOR SALE IN MOUNT VERNON—TWO and a half story, 10 rooms, on corner of Sidney and 4th-st.; house in well finished condition, with necessary out-buildings; lot, 100 by 100 feet; various kinds of fruit and strawberry. Reserve on the premises. Terms easy; price, $3,000.

TWO COTTAGE HOUSES IN WILLIAMSBURGH—On Wythe-av., between Lorimer and Leonard sts., 2 story, 20 feet by 40; rooms easy. Apply to F. A. BERG, 146 Grand-st., Williamsburgh, or No. 8 Sackett-st., to J. W. WESTON.

FOR SALE CHEAP—A TWO AND A-HALF story house, 20 feet wide, with water, gas, &c., within two blocks of City Hall, Brooklyn. Lot adjoining, with stable, number, &c., adjoining desirable. E. A. SPAFARD, Schultz's Inn Co., NO. 18 WALL-ST.

FOR SALE—THE LEASE AND IMPROVEMENTS of a well known stone-front house, 20 feet wide, with all modern improvements, in good location, near Fulton-ferry. Inquire on premises of the owner, 182 East 2d-st.

FOR SALE—GREEN-BRICKS WANTED FOR A first-class, brownstone-front, four-story house in 47th-st., between 5th and 6th ave., second door east from Fifth ave. For permission to see it, apply on JOHN O. HIGGINS, No. 205 5th-av.

FOR SALE LOW—A THREE-STORY FRILLA dwelling house, front brown, with all the modern improvements, No. 61 2d-st., near 2d-av. Inquire on the premises.

FOR SALE—A FINE PROPERTY ON CLINTON-Ave., Brooklyn, new house, stable and garden. Address LEWIS SHEAR, No. 61 Wall-st.

BROOKLYN HOMES—THE TIME TO INVEST. —One or two hundred of every style, at cost and long time, offered by MILES W. HOOD, No. 32 Pine-st., N. Y.

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FARMS.

VALUABLE FARM FOR SALE OF ABOUT 100 acres, late the property of Jesse Mott, deceased, situated in the town of White Plains, Westchester Co., on the road leading from White Plains to Rye, about 2½ miles from White Plains depot, and 3½ from Rye depot; Rye Hour road; 70 acres in a high state of cultivation; other out-building; is well watered; has fruit of various kinds, including three apple orchards in full bearing; an old farm, are three dwelling-house, outbuilding, and is well calculated for dairy farm. Will be sold at public auction, on the premises, Tuesday, March 27, 1866, at 12 o'clock, unless previously sold at private sale before the 1st of March

FROM THE ISTHMUS OF PANAMA.

Arrival of the Ocean Queen, with $306,000 in Treasure.

Further Depredations by the Alabama Reported.

Astonishing Gold Discoveries in New-Zealand.

The steamship Ocean Queen, Capt. Tinkham, from Aspinwall on the 24th ult., arrived at this port last night, bringing California passengers and $306,000 in specie—the mint consigned to follows:

R. McMurray & Co.	$5,000	Order	$2,000
Allan McLane	15,000	J. Dalzell Reed & Co.	10,000
Hancock & Price	25,000	Frank Baker	25,000
J. S. Newton & Co.	22,000	H. M. Barnard	1,871
J. S. Carter & Son	14,500	Jenkins & Brewster	21,000
F. J. Wade	5,000	Dewitt, Kittle & Co.	20,000
Jas. Hunter & Co.	5,000	Wells, Fargo & Co.	102,000
Total			$306,000

FROM ASPINWALL.

Gent'l Indse.	$700	Handy & Smith	$2,500
Order	1,800		
Total			$4,500

ISTHMUS OF PANAMA.

Departure of the Ocean Queen under Convoy—The Rebel Pirates—Important Gold Discoveries in New-Zealand—California and Australia Thrown to the Shade, &c.

From Our Own Correspondent.

PANAMA, Sunday, Jan. 25, 1863.

The steamship Ocean Queen, with her convoy, the steam gunboat Connecticut, leave Aspinwall for New-York this morning, the former being one day behind her time of sailing on account of her long passage out, she having been eleven days and eight hours from New-York to Aspinwall. The Connecticut convoyed the Ariel to Cape San Antonio Light, Island of Cuba, on her way home with her specie, mails and passengers, and reached Aspinwall, without touching in at any place, on the 23d instant. She will probably be back again, from convoying the Ocean Queen, on the 1st day of February.

The regular British mail steamer Saint, from Southampton to Aspinwall, via St. Thomas, reports that the Alabama burned several vessels off San Domingo and Hayti, after having left the Ariel on the 10th of November. The names of the vessels are not given, but it is probable that you have them ere this. The Saint also reports that a Confederate steamer of 500 tons, called the Retribution, came into St. Thomas, and after taking her cargo of Southern produce for $40,000, sailed, and burned four or five American vessels in the neighborhood of the island.

Capt. Sinnet, of the American ship Flying Mist, arrived at Bluff Harbor, New-Zealand, arrived at Panama in the last steamer from Chiriqui, and goes to New-York by this steamer. He left Dunedin, New-Zealand, on the 1st December. He brings news of further extraordinary gold discoveries in New-Zealand, throwing in the shade the original one in Otago. He says the mines exceed in extent and richness those of Australia and California. From 5,000 ounces per week, the product, with the comparatively few persons engaged in washing gold, has increased to 20,000 ounces per week. Some hands made more out but a week or two ago, and were selling at $20 each. Provisions for the subsistence of 400 miners, were $400 per ton. Flour sold at twenty-five dollars per barrel. Rev. Mr. Ward, a Wesleyan missionary, who has been stationed at Hokitika, the principal settlement, writes that the place was very lively, both at Otago and at Dunedin, the latter place being generally deserted. The latter has gas works, theatres, and a line of railroad to Port Chalmers. A kind of steamer and Hansom have arrived. In talking of, and in short, the Mr. Ward discoveries will advance the interest of a line over this route from England to Australia, &c. [illegible] Yesterday [illegible] Yesterday [illegible]

We have no later advices than those already made, from the Island of Vancouver. In the West everything is quiet.

Trade at the Isthmus is improving some since the peace treaty in the State of Cauca, by which our troops leave the State of Cauca, by which our troops leave the State. The business over the Panama Railroad is slowly like all the energies of the Company's agent here to transport it, but the great and endless hindrance, which is a great deal in the large amount of cotton and wool going forward to Europe, gives him much embarrassment. The railroad, steel, rail freight and storage buildings are all insufficient for the trade. Last week, the monthly proportion, thirteen, of Steam Liverpool Line, arrived, bringing 2,000 packages of goods, which must wait months before reach the transportation.

The news of the commencement of the siege of Antwerp, in our coast, by the French fleet, caused but little remark here, as it had been expected for a month. The fleet fired over 1,000 shot and shell during three days. Twelve persons are reported to have been killed, daily one building was burned within the precincts of the town, and this by accident. I believe no injury was done to the ships in the fleet, after the which were destroyed, the fleet sailed away for Rosarito. [illegible] U. S. steam frigate Saranac [illegible] Panama [illegible] Cape. [illegible] Panama [illegible] Cape. [illegible] Panama [illegible] Cape.